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NATIONAL MUNICIPAL REVIEW

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A WORLD BUREAU OF MUNICIPAL RESEARCH

BEING CONSIDERED BY THE LEAGUE OF NATIONS

BY CHARLES A. BEARD

If democracy is to reach its maximum efficiency and the forces of intelligence and humanity are to triumph over the drift of things, it is clear that all administrative officials and all those who work on the firing line of the advancing army should have at their command the results of the world's experience in their respective spheres and salients. To vary the figure, the white light of science, fed from all channels of research and experiment, should burn continuously before the door of each one who stands and serves. It makes no difference whether it is a mayor confronted by baffling problems of finance, the bacteriologist of a water department poring over his test tube, or the matron of a home for wayward girls wrestling with the perplexities of psychiatry. The ideal would be reached if all the accumulated wisdom of the world could be focussed to meet the instant need of things.

Mankind is groping in the direction of that ideal—slowly and in a blundering fashion—and those who watch the Alpine glacier through a term of years can make note of change. Mayors are organized to exchange ideas; so are controllers, city managers, engineers, civil servants, nurses, teachers, and all the other professions, crafts, and occupations. Social workers hold conferences, maintain a journal, and pool their experiences in central agencies. Leagues of municipalities are to be found in many states. Examples might be multiplied indefinitely, but that would be a work of supererogation. The League of Nations is a grand culmination of the organizing process and its achievements in the sphere of science and intellectual intercourse make an impressive total.

When the Fifth Assembly of the League met at Geneva last September, one of the interesting propositions laid before it was a scheme for intermunicipal co-operation among the nations affiliated with that world association. The project was brought up for consideration by His Excellency, Mr. G. Patterson, representing Cuba, on the authority of his government. The idea, according to Mr. Patterson, originated at the fifth Pan-American conference in Chile in 1923. Eighteen nations represented there unanimously recommended to the Pan-American Union the principle of closer municipal relations among the members, and the government of Cuba was so impressed with the suggestion that it carried the proposal across the sea for world consideration.

In presenting the scheme to the fifth committee of the Assembly of the League of Nations, Mr. Patterson explained that the plan of the municipality of Havana had two objects: one to strengthen relations between the cities of each nation and the other to promote intercourse among the municipalities of the world. He emphasized the importance of city government in modern civilization. He pointed out how cities now carry on inquiries both at home and abroad and send agents to congresses within and without national boundaries. He explained how cities could exchange information on a larger scale and "so create a valuable form of co-operation in a social-administrative sphere which is of utmost importance, for the central governments and for the municipalities themselves." This, he thought, "would raise the general level of administrative efficiency and prove a powerful help to mutual understanding."

He then went on to add, in the language of good sense, "With the increasing prominence of the municipality in national life, fresh light is continually being shed on the problems of city administration. The latter is a science which should not be founded purely on experience. The problem should be studied in the true scientific spirit—objectively and on the spot. The science of city administration is not an abstract speculative science; it is a practical science with practical rules. Its students should pursue their investigations in the laboratory; and here the laboratory is the municipality itself. But such a study cannot, in the absence of close municipal relations, yield satisfactory results."

Mr. Patterson's cogent argument was supported by delegates from Italy, France, the Irish Free State, Greece, the Netherlands, Rumania, and several other powers. No serious opposition appeared, but on the motion of the French delegate an amendment was added calling for some practical steps toward the realization of the idea. The resolution as finally adopted by the grand Assembly of the League of Nations at its session on September 20, 1924, runs as follows:

> Whereas the maintenance of direct relations between the important municipalities of the various countries within the strict limits of national sovereignty is a new form of co-operation between peoples which will contribute largely to diffusing the ideals which led to the creation of the League of Nations and which guide its work:
>
> The Assembly decides to accept with the greatest sympathy the principle of closer municipal relations which the Santiago Conference recommended to the members of the Pan-American Union for adoption;
>
> And requests the Secretariat to draw up in preparation for the Sixth Assembly a report on inter-municipal co-operation, on the existing facilities which might be utilised to that end, and on the part which the League of Nations might play in this matter, having regard to the means which might be available and to any facilities provided by other organizations.

On the basis of this authority the Secretariat is preparing the project for the next Assembly. This may well be the beginning of a world bureau of municipal research and service. If it is not *lèse majesté*, it seems fitting to suggest that the National Municipal League and the National Research Conference should make a note of this proceeding and co-operate with those who are fighting the battle of municipal science at Geneva. Is it not possible to do something more than make a friendly gesture? Let those who can take thought about it.

HOW THE THEORY OF THE BOSTON CHARTER FALLS SHORT[1]

BY RICHARD S. CHILDS

Vice President, National Municipal League

The Boston charter was a bold pioneer and has been widely copied, but something more is needed to make it 100% satisfactory :: ::

THE working of the Boston charter presents a problem of political science of much importance, for it was the pioneer of its type, and during the fourteen years since its adoption it has been copied by Pittsburg, Toledo, Detroit, Cleveland and Los Angeles—in other words, it became the prevailing type of charter for cities of over 500,000 population in the United States.

It centralized great power, including all the appointive power, in an elective mayor while the council became a small body of rather negative powers. The council consisted of nine members elected at large, three at a time for overlapping terms. There was also an elective school committee of five members elected for overlapping terms. Thus, after the first election, the ballot could carry not more than six offices—mayor, three councilmen, two school committee men. The ballot was nonpartisan and the petition requirements of 5,000 signatures (no signer being allowed to sign for more than one candidate) were such that not many candidates could fill a petition without exhausting the accessible supply, thus keeping the contest to a small field. There was also a finance commission appointive by the Republican state government with inquisitorial powers into the doings of those Boston Democrats.

DIFFICULTIES DUE TO DEVELOP

Keeping myself to the field of pure theory, I am going to point out wherein that charter falls short of our Model Charter and the difficulties which are theoretically due to develop in it sooner or later. I am going to say just what I did say ten years ago.

In providing a ballot of only five or six offices at each election, the charter commission was hopefully recognizing the then-new Short Ballot idea, and said so. It hoped, and we all hoped, that the limelight of public scrutiny fiercely concentrated on the selection of a few officials would result in an elimination of the unfit and a reduction in the power of the politician whose power so largely rests on obscurity and complexity.

The commission however did not get its Short Ballot doctrine entirely straight. It met the point that only a few offices should be elective but overlooked the point that such offices as remain elective should all be important, important enough to attract the protective public scrutiny. In the case of the powerful mayor there was plenty of concentrated scrutiny to protect the situation against the one danger that we can provide against in designing governments—the danger that the voters may elect someone whom they have hardly looked at and may not really want. But the negative, overshadowed council drew so little attention that when at the second election I began reading Boston newspapers to watch the campaign, I could hardly see that any campaign was going on. One newspaper used the words "We call the attention of the voters to the municipal election next Tuesday." The vote was light and I understand the experience in off years has been the same ever since. It is not fair to say the voters were indifferent; the political scientist says, "the offices aside from the mayor failed to attract public scrutiny."

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[1] Excerpts from address delivered at thirtieth annual meeting of the National Municipal League at Boston, November 12.

It was the same in a year when a mayor was being elected; the vote for councilmen was an uninformed vote despite the larger turn-out of voters attracted by the mayoralty contest. Despite the non-partisan ballot the *ipse dixit* of the Democratic city committee was the big news of the campaign. The informal and unofficial say-so of that committee—it made no formal utterances—was enough to pluck a candidate from obscurity and make him one of the only two who had a chance. His opponent was the one that the Good Government Association decided to sponsor. The rest of the candidates who had nominated or started to nominate themselves then dropped out of the running. As always, the obscure office became practically appointive by the active political insiders. The charter failed to make the council sufficiently important to induce the people to do the choosing.

ELECTION AT LARGE IN BIG CITY

In another respect the Boston charter violated a basic rule of correct design; it provided an unwieldy electoral district. The city at large elects all the officers. Now the city of Boston as an electoral unit is too big to do business with candidates directly, unhelped by an intermediate machinery, whether it be a party machine or a costly improvised machine. A candidate for either the conspicuous office of mayor or the inconspicuous offices of councilman or school committee cannot canvass all Boston by simple self-advertising, unaided by a powerful, costly, far-ramifying organization. Or if it be attempted, the drama and circus-tactics to catch the metropolitan ear must be so violent and explosive, so primitive and vulgar, that the only candidate who will descend to it is the blatherskite demagogue. Very different may be the situation in a small district where a candidate without machine support may with dignity and small expense make his candidacy known to his neighbors and get elected on a non-partisan ballot without ever having gone hat in hand to a political machine for endorsement, provided however that the office be important. It is the smallness of the job, not the smallness of the ward, which has brought ward elections into discredit.

To be concrete about it, election at large in a city as big as Boston is impracticable, if you want the voters and not the political machine to hold the power. To give up the election at large of mayor without loss of administrative unity you must substitute the appointive city manager. To give up election at large of council you must increase the powers of councilman and change to ward elections or proportional representation. It is futile to change to ward election or P. R. without making the councilmanic election a matter of lively public interest by increasing the importance of the councilmen. The logical way to increase the importance of the councilmen is to let them as the popular representatives appoint and control the chief executive and dictate all municipal policy.

Boston must sooner or later do as Cleveland did, abandon this type of charter and move on to the city manager plan, preferably with proportional representation.

MORE ABOUT PUBLIC UTILITY DEPRECIATION

BY JOHN BAUER

Public Utility Consultant, New York City

A reply to Mr. Maltbie's rejoinder published last month. :: ::

In the December number of the Review, Mr. W. H. Maltbie published a rejoinder to my article in the August number on "The Drive by Public Service Corporations Against Depreciation Provisions."

In my article I devoted myself to an analysis and discussion of whether fundamentally depreciation *as such* should be charged to operating expenses by public utility companies or the cost of replacements as units of property are retired. Incidentally and very briefly, I considered also the relation of depreciation charges to valuation for rate making purposes. I supported the depreciation policy as against the renewal point of view, which is extensively, if not mostly, urged by the companies. The issue was plain, and everything else was clearly secondary. Mr. Maltbie, however, scarcely touched the real issue; he directed his entire punch, in four-fifths of his article, to manifest incidentals or immaterialities. These I shall treat briefly, and shall try to dispose of them without acrimony. I shall take up the four chief points.

1. WAS THERE A COUNTRY-WIDE DRIVE?

Mr. Maltbie exaggerated my statement of "a country-wide drive" into a *charge* that all utilities and railroads had taken the position that I ascribed to the companies. Then he shows that the Bell Telephone Companies follow the depreciation system which I supported, and that the railroads opposed only the extension of the depreciation policy from equipment to include also road and track items. Thus he claims that I misstated the facts, and that my *charge* collapses. He magnifies also my words "to exterminate the entire concept" of depreciation; he disproves this "charge" by showing that the street railways used the term depreciation in a brief supporting the position which I ascribed to the companies, and by showing that the gas and electric companies would provide a reserve which apparently Mr. Maltbie would bring under the concept of depreciation, but which is a replacement and not a depreciation reserve within the conceptions of my original article.

Well, of course, I did not mean to include *all* companies in the "drive." Possibly I should not have used the term. "Concerted action," "joint effort," "collective undertaking" or some such expression without a connotation of conspiracy would perhaps have been more appropriate. But all I meant was the sort of common action which Mr. Maltbie himself cited in the case of the railroads, electric railways, and the gas and electric companies. There has been, so Mr. Maltbie tells us, co-operative activity; whether this action was deliberate or wholly accidental, I meant to refer to it very briefly as being the occasion of my discussion. That is absolutely all there was to my use of "drive," and a dispassionate reading will show that this is true.

2. HAS THERE BEEN DECEPTION?

Likewise Mr. Maltbie by several stages of amplification enlarges my doubt as to the sincerity of most of the companies into a "charge" of deliberate deception. Perhaps I should have toned down my extremely mild surmise or, better still, have omitted it altogether. I therefore state now that I really meant to impute nothing dishonest or morally reprehensible, especially nothing illegal or criminal. I do not wish to impute ulterior motives to anyone. I do know that many high-grade engineers and lawyers, also a few accountants and economists, really seem to believe in the theory which, Mr. Maltbie admits, is supported by the companies. I have no interest in recriminations; they are extremely distasteful to me, and I always desire to consider only the merits of any question. If my particular phraseology warranted Mr. Maltbie's interpretation, I regret it.

3. WHAT IS THE POLICY OF LARGE INDUSTRIAL CORPORATIONS?

Mr. Maltbie whacks particularly my assertion that "the majority of large industrial concerns" have adopted the depreciation system. This statement, however, is transformed by Mr. Maltbie into "the practice of ordinary industrial corporations," and is discussed by him accordingly. I submit that "large" and "ordinary" are not synonymous or even similar terms, and thus Mr. Maltbie once more pulls out of shape what I said and clearly meant to infer. I know very well that the majority of "ordinary" industrial corporations have not adopted the depreciation policy, but that most of the "large" ones have. My conception of *large* was plainly indicated by my use of the United States Steel Corporation as an illustration.

Mr. Maltbie takes the industrial corporations on the first hundred pages of Moody's 1923 Manual, and tries to disprove my assertion by reference to the companies there presented. But these are "ordinary" and not "large" corporations. Moreover, the facts given in many, if not most cases, do not show what policy was followed. But at that Mr. Maltbie finds more instances in favor of depreciation than I would have expected from the survey.

Mr. Maltbie discusses also my presentation of the United States Steel illustration and charges me with misuse of the facts. The points are technical and I cannot possibly treat them intelligibly within the limits of space. Consequently all I can do now is to assert that my use of the figures was careful and correct. Anyone interested can readily check up whether I was right, and whether Mr. Maltbie was justified in his attack on my use of the figures.

4. IS ACTUAL COST OF THE PROPERTIES SUPPORTED BY THE COMMISSIONS?

I made a casual statement that "the commissions have mostly held" to actual cost instead of reproduction cost as the proper basis of primary valuation. Mr. Maltbie particularly brands me as unreliable in this statement. As in the other matters, he distorts out of all proportion what I said, and presents specious research to the contrary. I realize, of course, that the basis of valuation is in the greatest confusion, and have published several articles in the REVIEW and elsewhere on various aspects of the chaos. For the present I shall prove my statement by referring to Judge Brandeis' analysis in his minority opinion in the Southwestern Bell Case:

The Public Utility Reports for 1920, 1921, 1922 and 1923 (to March 1) contain 363 cases in which the rate base or value was passed upon. Reproduction cost at unit prices prevailing at the date of valuation appears to have been the predominant element in fixing the rate base in only 5. In 63 the commission severely criticised, or expressly repudiated, this measure of value. In nearly all of the 363 cases, except 5, the commission either refused to pay heed to this factor as the measure of value, or indeed as evidence of any great weight. (*S. W. Tel. Co.* vs. *Pub. Service Comm.*, 262 U. S. 276, 301 ff.)

Justice Brandeis then gives a detailed analysis of the cases and shows that in at least 214 of them original cost was practically the sole basis, while in many others the commissions only slightly modified it.[1]

The range of the subject merits further treatment, and I am planning to offer to the REVIEW four articles on the salient factors in valuation and rate making:

I. Depreciation as Cost of Service;
II. Depreciation as a Deduction in Valuation;
III. Depreciation Practice of Large Industrial Corporations;
IV. Actual Cost vs. Reproduction Cost in Relation to Fair Value.

In these articles I shall confine myself strictly to the facts and issues of each subject. These are questions of broad economic policy, of very great public importance, and I shall discuss them from that standpoint.

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[1] As to court decisions with respect to this question, a subject which I did not even touch upon in my article, see my paper and discussions of it in the 1924 June and December numbers of the *American Economic Review.*

AMERICAN INFLUENCE ON MUNICIPAL GOVERNMENT IN THE ORIENT

BY CHARLES A. BEARD
New York City

On two occasions, Dr. Beard has been called to Japan to advise with the Japanese authorities on municipal government. :: :: ::

YOUR secretary's request for a paper dealing with American influence on municipal development in the Orient is in reality an invitation to make an excursion into the realm of prophecy rather than an opportunity to present an encyclopaedic record of achievement. Nevertheless such an essay may not be altogether without profit. We have sent missionaries to the Far East to convert the people to Christianity, business men to sell them goods, political consultants to advise them on the mysteries of constitutional government, and engineers to help them construct railways, factories, and battleships. It appears inevitable that, as Oriental cities take on more and more the outward signs of our material civilization, they will turn with ever increasing interest to American experience, especially as our great exploits in municipal administration have been in the sphere of organization, science, and mechanics.

Already signs of change are at hand.

The cities of China, excluding the treaty ports, with few exceptions seem satisfied to move on in their ancient ways, content with wheelbarrows and rickshaws for transportation and with the narrow streets and crude sanitary arrangements which were universal in western civilization until very recent times. However, Canton in spite of all the vicissitudes of local politics has made remarkable strides in cutting open slum areas, widening streets, and providing park space. Amoy and Swatow show signs of a new spirit. In these cities the Chinese themselves are fighting their own battles for better municipal life. And it is a strange commentary on the ethics of the Occident that in the port towns such as Tientsin and Shanghai, and in the capital, Peking, the foreigners, who have made such comfortable quarters for themselves, have had relatively little influence on the native sections within a stone's throw of their broad avenues, their modern offices and residences, their ease and luxury of life. Within fifteen minutes of the American consulate in Shanghai there are conditions of life and labor, starvation and misery that make Whitechapel of Arnold Toynbee's day seem like a corner of paradise by comparison. Either the foreigner has been indifferent to his obligations, or the native has been magnificently indifferent to the appeal of western municipal science.

JAPAN MODERNIZING HER CITIES

Japan, far more ingenious and zealous in adopting the devices of our materialist civilization, has been busily engaged for many years in modernizing her cities. One of them, Sapporo in the North, was originally planned by an American, but the others, notably the six premier cities, Tokyo, Kyoto, Nagoya, Kobe, Osaka, and Yokohama, have been undergoing a renovation at the hands of Japanese engineers. The construction of modern water works was begun in Tokyo in 1892, in Osaka in 1895, and in Kyoto in 1908. The construction of sewers lagged behind while the development of electric lighting and street railways went on rapidly. Although foreign advisers were called in now and then most of the municipal improvements of Japan have been affected under Japanese leaders trained in their own universities, and equipped for their tasks by practical experience gained at home and abroad. Moreover, unlike the cities of China, those of Japan have long enjoyed systematic self government under general municipal law; by a gradual process the suffrage has been extended with a view to putting city administration on a somewhat democratic basis.

The cities of Japan were being slowly modernized when the World War broke in upon their leisurely ways. Then profound changes suddenly occurred. The industries of the Empire went forward in seven league boots. Capital was accumulated from enormous war profits, a large middle class was created, and with the new wealth came a more intense desire for the comforts and conveniences of our civilization. In many other ways that war affected Japan. Relations with Germany were cut off altogether. In the end, the German Empire for which conservative Japanese had the same kind of respect that was cherished in certain quarters of America, came down in an awful crash. The Russian Empire also collapsed. While Japanese business men were employing American engineers and companies to build sky scrapers, erect modern mills, and construct industrial plants, the middle classes imported American phonographs, automobiles, electric appliances, and moving pictures. Within a few short years a most extraordinary transformation took place. Everything American became the rage. Traveller after traveller, mission after mission visited America to see the sights and discover new things to be adopted in Japan. At the same time, the wise old politicians, on looking at the ruins of European kingdoms and empires, began to wonder about the safest kind of institutions with which to weather the storms of a changing world.

VISCOUNT GOTO'S INFLUENCE

Among the men of the older generation who went abroad after the close of the Great War was one especially interested in municipal affairs—Viscount Goto who had seen long service in Formosa, Manchuria, and various high places in the imperial administration. He had been trained in medicine in Germany and knew European cities at first hand, but he was profoundly impressed on his last visit to the United States by the rapid strides we had made in municipal improvements. He was particularly impressed by the work of the New York Bureau of Municipal Research, and on his return to Tokyo he secured a generous endowment for an Institute for Municipal Research in that city. Shortly afterward he was elected mayor and with the aid of the Institute worked out a great program of public improvements. He was convinced that both in efficient administration and in mechanical devices the United States had most to offer Japanese cities. When the earthquake and fire wrought their awful havoc in Tokyo and Yokohama last year, it was to American experience Viscount Goto, then home minister and president of the Board of Reconstruction, turned for help in planning the new cities that were to rise on the ashes of the old. The Tokyo Institute for Municipal Research built up a fine library of American and European works; it issued in translation many publications of the National Municipal League, and it founded a Municipal Review to accelerate the rising interest in municipal affairs. We may say that the year 1923 closed with the influence of the United States in the ascendancy in Japan, in financial, industrial, and commercial fields. American generosity in aiding those who suffered in the great disaster of September, 1923, evoked a touching gratitude to which all Americans on the spot when help arrived will bear witness. American missionaries were among the most cherished leaders in many spheres of social work in Japan. Japan was preparing to send an ever larger number of students to American universities.

IMMIGRATION LAW CHANGES EVERYTHING

At this juncture the congress of the United States passed the immigration law. It is not appropriate to this occasion to discuss the merits of that law. Although, wisely or not, we had made an agreement with Japan respecting Japanese immigration and although it was known that the Japanese government was prepared to make any reasonable concession to meet the demands of congress, we slammed the door in the face of Japan with angry words that had a ring of defiance in them. It was not what we did but the manner of the doing that produced a deep revulsion of feeling in Japan. Other issues equally perplexing are liable to arise any time; indeed they are already in sight. If the government of the United States is not more happy in managing its Oriental relations in the future than in the recent past, then we may expect our trade in Japan to lag behind and our moral influence to decline. It may seem strange to the ears of Americans of pacific intentions, but the Japanese have a very real fear of the United States. They know the history of our expansion across the continent, they watched with anxiety the Alaska purchase that carried us within a few days of their outposts, and they entertained a genuine alarm when the conquest of the Philippines planted the Stars and Stripes a few hours away from Formosa. They listen with astonishment to our assertion of moral responsibilities in Siberia and Manchuria, where rich natural resources await the enterprise of modern capitalism. If Japan had annexed Cuba in 1897 and declared the settlement of the Mexican and Caribbean estate a part of her moral obligations to humanity, what would have been the effect on American opinion? The truth is that Japan fears the United States. The Washington conference did something to allay that fear. The results of that conference have been largely undone by the recent abruptness of congress and the ineptitude of the state department. Whether Japan has large sums of money to spend during the coming years in carrying forward the modernization of her cities depends more upon our foreign policy than upon the excellence of our municipal science.

INFLUENCE IN CHINA DEPENDS UPON FOREIGN POLICY

In China likewise our influence in the municipal field depends to a considerable extent upon our foreign policies. There is a group of young Chinese, especially at Shanghai and in the Southeastern University at Nanking, fully alive to the significance of municipal improvement, but the distracted condition of the nation makes all humane efforts seem futile at present. And for that distracted condition our country in common with other great powers must bear a share of responsibility. With a generous gesture we devoted a large part of the Boxer indemnity to educational work. Most of it has been wasted, at least most of the money spent on bringing Chinese students to America. I speak not on my own authority alone but that of fifteen of the most distinguished leaders in China with whom I discussed this issue for many hours at a private conference. We have taken Chinese students out of their natural environment, brought them to this country, and filled their heads with the Declaration of Independence, the Constitution of the United States, and the principles of psychology, ideas practically worthless to them in their native country. We have accustomed them to novel modes of life and thought and unfitted them for work and leadership at home. Of course, there have been notable exceptions, but the general rule is undeniable. I here publicly confess that, ignorant of China and her needs in the course of many years, I filled the minds of hundreds of Chinese students with facts and ideas no more appropriate to China than to the moon. As for others let them speak for themselves. It would have been far better to have devoted the Boxer money to schools of engineering, sanitation, economics, and administration in China and to have kept in their own country nine-tenths of the Chinese students who have been brought to the United States. Through the agencies of education we have done practically nothing for municipal administration in China.

And by our foreign policy we help to make it impossible for the Chinese to do anything for themselves. We unite with the so-called civilized powers of the world in maintaining fiscal measures which prevent any government in Peking from getting enough money to maintain an army capable of establishing and sustaining national unity. The said powers have fixed the rate of the customs duties in their own interest; they collect the money, pay the foreign investors, and then hand the pitiful remainder over to Peking government. The great powers refuse to do anything magnificent in China; they also refuse to get out and let those who might accomplish something have the field. So while our intellectual influence on municipal development in China might be immense and our leadership in that sphere would be welcomed, we accomplish little or nothing. And with the passing years we grow more bumptious, more swollen with material power. Our secretary of the navy walks down to the shores of the Pacific and shakes cold steel under the noses of our neighbors. Admirals of the navy, active and retired, periodically ring the alarm bell and warn us to be prepared for the coming crisis. We are even now called upon to choose whether we will strive to master the world by the sword or rule it with the power of the spirit.

ANNUAL MEETING OF THE GOVERNMENTAL RESEARCH CONFERENCE

BY ARCH MANDEL
Secretary

For "researchers" who weren't present, and for others who want to know what the "researchers" are doing and thinking :: ::

THE fourteenth meeting of the Governmental Research Conference, which was held at Cambridge, Massachusetts, November 10, 11, and 12, last, was a successful one. The sessions were well attended, the papers instructive, and the discussion fruitful. In fact, the fullness of the program left little room for individual social contact and for any business conferences not on the program.

A continuation of the controversy of "Pay-as-you-go *vs.* Bonds as a Means of Financing Public Improvements" was the subject matter of the first session. Mr. Cummin, the proponent of the bond method, who precipitated the debate in the pages of the NATIONAL MUNICIPAL REVIEW and who was scheduled to appear, was absent, so that the preponderance of the argument presented at this session was against borrowing for financing improvements. Messrs. Zukerman and Studensky pointed out the undue costliness of making public improvements from monies obtained through borrowing. Mr. Zukerman, taking the city of New York as an example, traced the growth of the bonded debt of that city, showing how, with the piling up of the bonded debt, the annual charges for debt service payable from current revenue eventually approximates the annual issuance of bonds for public improvements. No solution was presented, unless Mr. Studensky's recommendation that unusual expenditures for public improvements be financed by bonds and recurrent expenditures be financed from current revenue be considered an answer to the problem.

PRACTICAL HINTS WANTED

The public officials present were disappointed in the failure of the papers and the discussion to bring out any solution or at least "practical" suggestions that could be followed by them.

Mr. Link, secretary of the Board of Estimate, Minneapolis, expressed the need for some authoritative reference and guide for the public official in this matter of financing improvements, and this need being obvious, the meeting adopted a resolution requesting the National Municipal League to appoint a committee to study the methods of financing public improvements and to make practical, helpful recommendations.

No doubts were left in the minds of the audience as to the need for improving federal statistics with respect to municipalities after hearing Messrs. Waddell of Massachusetts, McGee of Akron, and Zukerman of New York, present their experiences and their views on this topic, which was the subject of the second session of the meeting. Sufficient specific evidence of the inadequacy and uselessness of the present municipal statistics published by the United States bureau of the census was presented to cause that department, when it learns of these defects, to make immediate and radical changes in this branch of its work.

PER CAPITA COST STATISTICS

In the course of his remarks, Mr. Waddell stressed the meaninglessness and the danger of using per capita cost figures as a basis of comparing cities as to efficiency, extravagance, or for any other purpose. Dr. Brittain of Toronto, however, took issue with the emphatic denial of the usefulness of per capita cost comparisons. He brought out the point that the per capita figures themselves should not be used as the sole and conclusive evidence in comparisons; that they were merely supposed to be indices, directing attention to the need of further investigation and study. "If per capita figures are used in this way," stated Dr. Brittain, "their value is undeniable."

This session also resulted in the passing of a resolution requesting the National Municipal League to appoint a committee to study the question of municipal statistics published by the federal government and to make specific recommendations as to ways and means of improving such statistics. It is interesting to note that the National Municipal League is responsible for the publication of municipal statistics by the federal government. It seems, therefore, fitting that this organization should call the attention of the Bureau of the Census to ways and means of improving its output.

RESEARCH AT HOME AND ABROAD

Dr. Beard was his usual instructive and interesting self in his talk on "Governmental Research at Home and Abroad." Although the governmental research movement was started "at home" eighteen years ago, the appreciation of its worth and the interest in its progress seems to be greater at the moment "abroad." Dr. Beard told of his experience in Japan with the Tokio Bureau of Municipal Research, of the part it played in the rebuilding of Tokio, and of the spreading influence of this organization in other parts of Japan. The most interesting piece of information given out by Dr. Beard was that of the proposal to organize an international bureau of municipal research as a part of the machinery of the League of Nations. It is an interesting fact that a "home" movement should apparently receive greater impetus and greater appreciation from public men in countries other than the United States. However, it is always more difficult to be a hero in your own home town. Dr. Beard emphasized the need for launching a national movement, so that governmental research will be given adequate recognition and be placed upon a firmer foundation, and as a beginning, he suggested the need for reviewing the progress of municipal research, what it has done and where it is going.

Probably the most significant result of this fourteenth meeting is the definite step to be taken by the National Municipal League and the Governmental Research Conference, acting jointly through a committee to be appointed by the National Municipal League, for the launching of this much talked of national organization for governmental research. The question was discussed more seriously, if that were possible, than at any of the previous meetings, and it is felt that a greater impetus than ever before was given the movement at Cambridge.

Professor Munro's illness prevented us from hearing "What the Professors Think of the Research Movement" and particularly what he thinks of it. Instead of this subject, L. D. Upson came nobly to the rescue and gave a résumé of the political situation in Cincinnati, which culminated in the adoption of the city manager government last November.

Because of the inability to hold the meeting on the professors' attitude towards researchers, it was necessary to cancel the session on "What the Researchers Think of College Instruction in Municipal Government." It was unfortunate that these two meetings had to be cancelled, because both sides would have undoubtedly learned something about themselves. Researchers are always eager to hear what their well-meaning critics, the professors, think of them.

Any comments on this fourteenth meeting of the Governmental Research Conference would be incomplete without an expression of appreciation for the thoughtful arrangements made by the Committee on Local Arrangements. Unfortunately Professor Munro, chairman of the Committee, was prevented by illness from attending the meeting. His absence was noted and felt. The Conference was honored by the presence of Dr. Charles W. Eliot, who attended one of the sessions and a luncheon.

This brief discussion deals with the first day's sessions of the meeting. The others, which were held jointly with the National Municipal League, are discussed in another section of the Review. The papers and other remarks about the meeting will be published in subsequent numbers of the Review.

Public Library
Kansas City, Mo.

THE LEAGUE'S THIRTIETH ANNUAL MEETING

BY FERDINAND H. GRASER

Philadelphia

Voted by many the most successful and worth-while meeting in years.

With Harvard University and the Boston Chamber of Commerce as its hosts, and with a program which attracted to its sessions scores of members of the Harvard faculty and student body, and of interested citizens of Boston, the National Municipal League held its thirtieth annual meeting in Cambridge and Boston, on Monday, Tuesday and Wednesday, November 10, 11 and 12. Some of the sessions were held jointly with the Governmental Research Association, and the National Association of Civic Secretaries.

The November election in Boston having dealt with the city's charter, along with matters of national and state importance, and having resulted in a return to the ward system of councilmanic representation as against election at large, keen interest was felt locally as to what the speakers at the convention sessions would have to say on the subject. One of the sessions being devoted to "The Government of Metropolitan Areas," and Boston having had some experience in that direction, there was naturally a feeling, which proved to be well grounded, that speakers from that district could contribute valuable material to the discussion.

It was a convention, too, of practical men, not of pure theorists. They could point to actual experience in every case as an argument for or against policies under debate; and many of those who participated had had a real part in shaping the experience of their home cities, either in the field of charter-making or in administration, and they spoke with the confidence of authority.

CONVENTION NOT TOO SERIOUS

However, the gathering was not altogether and exclusively serious. There was time on the program for a smoker on Monday evening at the Colonial Club, Cambridge, given by the Committee on Local Arrangements, when the delegates were entertained with selections by the Harvard Glee Club; and on Monday afternoon Miss Bernice V. Brown, dean of Radcliffe College, was the hostess to the ladies of the National Municipal League, and of the associated organizations, at tea, at Radcliffe College. Prof. W. B. Munro was chairman of the committee on local arrangements, and Prof. A. C. Hanford secretary; and Thomas H. Reed was chairman of the program committee. Others who assisted in the arrangements were Mrs. T. J. Bowlker, president of the Women's Municipal League of Boston; Prof. Phillips Bradley of Wellesley College; Harvey S. Chase, Robert Treat Paine and Judge Robert Walcott of Boston; Dr. Frederick A. Cleveland, Boston University; Frederick H. Fay, chairman of the Boston City Planning Board; Prof. A. B. Hart and Prof. A. N. Holcombe of Harvard;

Forrest W. Hull of the *Boston Transcript;* George H. McCaffrey, Jr., secretary of the Good Government Association; James A. McKibben, secretary of the Boston Chamber of Commerce, and Dr. Morton Prince of the Boston City Club.

MEETINGS AT HARVARD UNION

At the opening session of the convention, held in the famous Harvard Union, with students from classes in Political Science taking notes, emphasis was laid on the danger of issuing bonds constantly in payment for public improvements. Paul Studensky presented a study of Newark, Elizabeth, Trenton and other cities in New Jersey. He showed the advantage of financing improvements from current revenues. Another alternative to bond issues, he pointed out, is a special tax levy. T. David Zuckerman showed that payment by current revenue in New York city would save upwards of twenty-five millions of dollars a year. Judge Michael Sullivan, chairman of the Boston Finance Commission, presided. George M. Link, secretary of the Board of Estimate of Minneapolis, said that in his city there are 143 state laws on bond issues, 64 applying to Minneapolis alone. At the luncheon which followed, Dr. Charles A. Beard told of governmental research at home and abroad, with special reference to his recent experiences in Japan. He said that there were distributed in Japan, after the earthquake last year, thousands of copies of the pamphlet entitled "Modern City Planning," by Thomas Adams, published by the National Municipal League. Science is our best hope for the Orient, he said, and not in going back to a misty medievalism, which is largely a creature of our imagination. Scientific research in the art and practice of government has more to offer to the Orient than any other one thing. He would like to see a national institution in this country, adequately financed, to furnish information, advice, and definite expert assistance to municipalities in dealing with problems of their government. This, he said, is what the League of Nations will presumably attempt to do for the municipalities of the other countries.

Improving federal statistics with respect to municipalities formed the topic of the afternoon session, with papers by Theodore N. Waddell, H. G. McGee, of the Akron Bureau o Municipal Research, and Professor A. C. Hanford. The shortcomings of the Census Bureau passed under scrutiny, and suggestions were made in the direction of greater uniformity of methods among cities in keeping statistics, and greater promptness in compiling them.

ELECTION OF OFFICERS

Following an interesting inspection trip through the Widener Memorial Library of Harvard University, where special stops were made at the collections of municipal statistics and literature relating to the study of municipal government, a "get together" dinner of members of the League was held, Richard S. Childs, vice president, presiding. At the annual business meeting, Frank L. Polk was re-elected president of the League. To fill vacancies arising in 1924, the following officers and members of the Council were chosen:

President—Frank L. Polk, New York.

Vice Presidents—George Burnham, Jr., Philadelphia; Richard S. Childs, New York; Carter Glass, Lynchburg, Va.; William B. Munro, Harvard University; W. D. Lighthall, Montreal; Meyer Lissner, Washington, D. C.; A. Lawrence Lowell, Harvard University; J. Horace McFarland, Harrisburg; C. E. Merriam, Chicago; Julius Rosenwald, Chicago; L. S. Rowe, Washington, D. C.; Belle Sherwin, Cleveland; A. Leo Weil, Pittsburgh.

Treasurer—Carl H. Pforzheimer, New York.

To fill vacancies on the Council in class of 1925—C. A. Dykstra, Los Angeles; Dr. Lent D. Upson, Detroit.

Council, Class of 1927—Dr. Charles A. Beard, New York; Mrs. Craig C. Miller, President, Michigan League of Women Voters; Harland Bartholomew, St. Louis; Edwin A. Cottrell, Leland Stanford University; Louis Brownlow, City Manager, Knoxville, Tenn.; Dr. Frank H. Sommer, Dean of New York University Law School; Edward M. Bassett, New York; Prof. Thomas H. Reed, Michigan University; Mrs. F. Lewis Slade, President, N. Y. League of Women Voters; Lawrence Tanzer, New York.

Problems of street traffic and transportation in New York and Boston engaged the attention of the delegates on Tuesday morning, November 11, Prof. James Sturgis Pray presiding. Thomas Adams, general director of Plans and Surveys for Manhattan, stressed the point that while we cannot plan without regard to existing conditions, main attention should be directed to what is likely to be the case years ahead, and efforts should be then directed, by means of regional planning, to meet those future needs. Henry I. Harriman, chairman of the Metropolitan Planning Division, commonwealth of Massachusetts, and former head of the Boston Chamber of Commerce, explained new and proposed developments of transit facilities to handle the city's increasing traffic. He pointed out that the circumferential roads of the Boston metropolitan area were not as well developed as the radial routes leading directly from the center of congestion.

A special commission will shortly report to the Massachusetts legislature on the subject of a $30,000,000 thoroughfare to encircle the entire central business district of Boston. In future, subways instead of elevated lines will be built, and the use of busses for passenger traffic will be studied.

PRESIDENT ELIOT'S TALK

An attentive listener at this session was President Emeritus Charles W. Eliot of Harvard. Called to the platform after the papers had been read, he said:

As I have listened to these very interesting papers, I have been wondering if any addition could be made to their expectations of active work. They seem to me, both from New York and Boston, to be considering ameliorations, present ameliorations; but ameliorations the ceasing of which they themselves foresee, within very limited periods of years. In other words, in a very short number of years they will have ceased to produce the effects we all desire.

I have been wondering whether there is no mode of action which is feasible, or may be regarded as feasible. The real remedy for the congested state of New York and the region round about is, I think, to move out all your factories—businesses which require thousands and thousands of laborious operatives, confined perhaps eight hours a day, in their factories.

A few years ago I was visiting a very interesting printing office in Greenfield, Massachusetts, and I was much attracted by the talk and manner of the superintendent of that factory, as he showed me over it. I was attracted by his sensible remarks about an individual workman, whom I was looking at. Finally, I asked him, "How long have you been in Greenfield?" He said, "Three years." "Where were you before?" I asked him. "In New York city," he replied. "Why did you move from New York to Greenfield?"

"Because," he answered, with great frankness, "because I found it was absolutely impossible for me to bring up my children—I have four—in New York city, if I was going to follow the occupation which I then followed."

I naturally asked him if he hadn't been obliged to accept a considerably lower wage at Greenfield than he had received at New York. He laughed, and told me he had accepted several hundred dollars a year less compensation; but, he added, "I am awfully glad I came here."

Now, that suggested to my mind at the time that the thing we want to aim at in our planning for the better future of our cities, is the moving of all factories which require indoor confinement of their workmen, out of the cities. I have had a share in observing something of this sort of thing here in Boston and Cambridge on the part of business men who, though requiring profits first of all, have had somewhere in the back of their heads the thought that they were benefiting their workmen by moving their plants.

Is that possible on a large scale in New York city? Is there any authoritative influence or power which can take out of New York city and put into country situations, all their factories, all their indoor industries? It does not look impossible to me, because the natural situation of Manhattan Island very strongly suggests that its real functon is that of a great center of buying and selling—the buying of merchandise from the whole country and from abroad, and the selling and distributing of the product from that center by the new means of transportation which we are already enjoying.

GOVERNMENT OF METROPOLITAN AREAS

Varying points of view concerning the government of metropolitan areas were presented at the afternoon session, November 11, by Professor A. C. Hanford, who presided; Clayton C. Townes, mayor of Cleveland; Andrew J. Peters, ex-mayor of Boston; and C. A. Dykstra, secretary of the City Club of Los Angeles. Mr. Townes said that the governments of Ohio metropolitan areas, such as the districts including Akron, Dayton, Youngstown, Toledo, Columbus, Cincinnati and Cleveland are "chaotic, piecemeal, inefficient, and wholly incapable of rendering a good, sensible and economic public service. With their social, industrial, economic and financial interests so bound together that there should be no disintegration, they are separated politically by foolish and arbitrary lines into a hundred and one separate and distinct units; and, what is worse, apparently conditions must get worse to the point of intolerance before they get better. Public business should profit by the experience of private enterprise. Consolidation and unification have been the by-words of business and have made beef, telephones, sugar, steel, building supplies and other commodities cost the consumer far less. Just so will the same principle applied to metropolitan areas cost the taxpayer less."

Former Mayor Peters said: "Careful thought must be given to the development of a system of government which will respond to the needs of these enlarged metropolitan districts. We must consider not only the present problems, but must remember that the functions of municipalities are increasing and expanding, and we must allow for their adaptation to new conditions in the future. Transportation will have to quicken its pace so as not only to meet but to anticipate the needs of the population. At present, it lags far behind. Broad avenues will have to be cut through our cities, tunnels built, and there may be arcades, depressed streets, and other devices. Less must be left to hazard, and more must be deliberately planned. One central government should direct the police force, the fire fighting force, the educational activities and other agencies of government in the metropolitan area. Experience would indicate a greater rather than a lesser executive power for the welfare of the citizens."

Mr. Dykstra's address dealt with the problems of water supply, flood control, and traffic congestion in Los Angeles and its vicinity, and he showed that out of each of these functions had grown new conceptions of regional planning.

DISTINGUISHED SPEAKERS AT ANNUAL DINNER

The annual dinner of the League was held at the new Chamber of Commerce Building on Tuesday evening, November 11, and was marked by brilliant addresses by the toastmaster, President A. Lawrence Lowell of Harvard, a vice president of the League; by Frank L. Polk, president, and by Dr. Charles A. Beard.

On the following morning, the session being held in the Chamber of Commerce Building, tendencies in municipal home rule legislation and practice were discussed by W. P. Lovett of Detroit, who presided; Lawrence Tanzer of New York city; Prof. O. C. Hormell, of Bowdoin College; Mayo Fesler, secretary of the Citizens' League of Cleveland; A. R. Hatton of Cleveland, Walter T. Arndt of the Citizens' Union, New York; Prof. Thomas H. Reed of the University of Michigan, and others.

Mr. Tanzer's paper was an analysis of the New York state law on the subject, and Mr. Fesler showed how Ohio's policy of municipal home rule made the Cleveland experiments possible. He said that there is no disposition among the people of Ohio to go back to conditions existing before the adoption of the home rule amendment to the state constitution in 1912, at which time, he said, Ohio cities "were mere pawns on the political chessboard of the state." Professor Hormell advocated increased home rule for cities in the field of financial policy-making, but urged that the states should increase supervision of cities in the field of financial administration. Dr. Hatton pointed out that, as over 50 per cent of the population of the United States now lives in cities, the states must grant home rule to cities. He held that there should be no checks by a legislature on municipal budget-making. Professor Reed replied, however, that municipal indebtedness should be held within common-sense limits.

A detailed description of the state budget procedure of Massachusetts was given at the Wednesday luncheon by Henry L. Shattuck, chairman of the Ways and Means Committee of the Massachusetts House.

HOW THE BOSTON CHARTER IS WORKING

Bostonian interest in the convention reached its climax at the final session, on the afternoon of November 12, when the general topic for discussion was astutely entitled, "The Boston Charter: Is it Undergoing Repairs?" Those who helped to bring about the present framework of government in Boston were there to show that no repairs were needed; the other speakers were not so sure about it. But at all events, it was a most interesting and lively session, with an attendance crowding the aisles of the meeting-room to the very end.

Nathan Matthews, Jr., who presided, summarized the laws leading up to the present Boston charter, and pointed out that the constitution of Massachusetts contains no provisions for the control of municipal affairs. In 1909 there was a comprehensive revision of the entire organic framework of municipal government in Boston, a small council of nine members, elected at large, supplanting the previous unwieldy municipal legislature. This act, said Mr. Matthews, "was the most thorough-going reform ever attempted in this country in the matter of municipal administration." He praised the provision to the effect that all appropriations for the current expenses of the city government must originate with the mayor, the council having power to cut down but not to add to the figures. The mayor has an absolute veto over all other acts of the council. Another new feature which he thought highly commendable was the appointment of a permanent finance commission by the governor of the state, to investigate and criticise the municipal administration. That the net debt of the city of Boston has increased only 11½ per cent since the charter was framed was, he thought, evidence of its soundness. Alluding to the death of Senator Henry Cabot Lodge, whose funeral was held on the day of this final session, Mr. Matthews said that had it not been for Mr. Lodge's personal interest and active efforts at the state capitol, the charter act would probably not have passed, in 1909.

John F. Moors of Boston and Richard S. Childs of New York discussed some of the deficiencies of the charter, the latter dealing especially with the absence of the short ballot, and with the unwieldy election district created. Boston, he said, must sooner or later do as Cleveland did, abandon this type of charter and move on to the city manager plan, preferably with proportional representation. John F. Lewis of the finance commission of Boston; Harvey S. Chase, Dr. Morton Prince, George H. McCaffrey, secretary of the Boston Good Government Association, Dr. Hatton, Mr. Fesler, and others, contributed to the discussion. The final paper was presented by George R. Nutter, president of the Bar Association of Boston, who expressed his regret that Boston had not adopted proportional representation. However, he concluded, the only way in which municipal affairs may carry on successfully is not to keep changing the machinery all the time, merely because it does not seem to work, but go much deeper, at the basic trouble, namely, the voters themselves.

A number of the delegates to the League convention attended the annual gathering of the National Proportional Representation League, held Wednesday evening, November 12, at the Twentieth Century Club, Boston. A letter was read from Charles W. Eliot of Harvard commending the League's work, and addresses were made by Dr. A. R. Hatton, Walter J. Millard, field secretary of the League; Mayor Townes and Mayor Fesler of Cleveland; Harold Henderson of the Milwaukee Citizens' Bureau, and George H. McCaffrey of Boston.

THE REHABILITATION OF A STREET RAILWAY

WHAT CIVIC SPIRIT DID IN ONE SMALL CITY

BY J. A. ESTEY

Professor of Economics, Purdue University

A small town street railway system, three years ago a source of reproach, under home ownership and management becomes a joy and pride. :: :: :: :: :: :: :: :: :: ::

THE years since the war have been filled with so many exciting events that minor but significant happenings may easily be overlooked. But in LaFayette, Indiana, there is a street railway company, operating some sixteen and a half miles of line, that in the short space of three years has become a glaring success. And that city which, with its neighbor across the Wabash River, West LaFayette, is a community of some 30,000 people, now enjoys the rare distinction of having a street railway that, with a uniform five-cent fare and free transfers, not only gives admirable service to its patrons, but is actually making money for its proprietors. Probably no other city in Indiana, and few in the United States can make such a boast. This remarkable situation is all the more interesting when one recalls that less than three years ago the LaFayette Street Railway was in such a state of financial and physical distress as to justify the reputation of being the world's worst street railway system. If the street railway problem in general had come to be considered almost hopelessly insoluble, the chances of the exhausted LaFayette property ever becoming of ordinary convenience to the public, to say nothing of making money for the owners, seemed incredibly remote. It was one of those cases of hopeless debility from which the patient never recovers. But the patient did recover, much to the amazement of all the doctors.

To understand the situation, one must go back to 1913, that lovely invention of the statisticians, the basic pre-war year.

In that year we find the originally independent LaFayette Street Railway operated as part of the interurban system of the Fort Wayne and Northern Indiana Traction Company, equipped with rented cars that were the cast-offs of the Fort Wayne Street Railway, and saddled with a burden of debt of $225,000 in bonds that were now due. For various reasons that do not concern us here, the company was already having a hard time making things go, and had just been compelled to apply for an extension of the bonds to 1923. This was agreed to by the trustee for the bondholders, the Real Estate Trust Company of Philadelphia, as being the only alternative to a receivership.

CALAMITIES PILE UP

The next few years let loose a succession of calamities. Flood, war and pestilence came one after the other to afflict the company. The war brought its long course of rising costs, influenza laid its paralyzing hand upon the volume of traffic, and the flood of 1913 carried out the principal bridge to West LaFayette, broke the traffic connection with Purdue University and its hordes of students; and opened the door for the depredations of the jitney. Almost worse than the flood was its aftermath, for the county commissioners somehow persuaded the Fort Wayne and Northern Indiana Traction Company to assume a considerable part of the cost of a new bridge, and we have the amazing spectacle of a body of street railway magnates agreeing to pay $32,000 on the bridge and $4,160 on the cost of the approaches.

In 1919 the Traction Company bowed its head under the accumulated weight of its distresses, and went into the hands of a receiver. The LaFayette property was detached and transferred to the LaFayette Service Company, which acquired little save a gloomy history and even more melancholy prospects. The net earning power of the company was steadily declining, and in 1919 the LaFayette Service Company defaulted its bond interest, and again in 1920 and 1921. It also passed up its taxes and the stipulated payments on the bridge, leaving the trustee to pay them to save the property for the bondholders. Eventually the creditors petitioned for a receiver and in October, 1921, the property passed out of the hands of its proprietors into the sheltering arms of the federal court.

RECEIVER'S DISMAL JOB

It was a dismal job for any receiver, for the situation was practically hopeless. The property was in a ghastly state of depreciation. The main lines down town had of necessity been kept in fair repair, but the outlying parts were sadly deteriorated. The going was rough and often dangerous. Indeed only a glittering succession of miracles kept the cars on the tracks. Strong nerves and even stronger stomachs were the prerequisites for happy riding over much of the system.

The cars were in still worse condition. Rented from Fort Wayne, they were out of date when they were installed. In most of them the passenger sat in antediluvian fashion along the sides, deafened by the racket, and wondering where the next break-down would occur. The cars were cold in winter, smelly at all times, and an unmitigated bane to everybody save in the most exceptional circumstances. Riding in them was, as Samuel Butler says of life, one long process of getting tired.

As a result, schedules were slow and hard to maintain. Connections were uncertain and through routing unheard-of. If people used the cars, it was only when they had to. Moreover as traffic declined, the service became worse, and so the usual vicious circle of deterioration was set up. By 1921, in the matter of service and operation, the LaFayette Street Railway had become a by-word and a scandal.

Then there were the jitneys. When the flood carried away the principal bridge across the Wabash River, a few enterprising Ford owners began to carry passengers to West LaFayette over the remaining bridge for a five-cent fare. As their success was immediate and enormous, a multitude of others followed suit, and a lucrative business was soon established that laid the foundations of several minor local fortunes. When the bridge was restored, and street-car service resumed, the jitneys went right on, and from that date the levee swarmed with them. Their speed, their number, the relief from the ghastly discomforts of the street cars, brought them increasing volumes of traffic and by the time the receiver took over the street car property, the West LaFayette lines had become a liability rather than an asset.

OPERATION UNNECESSARILY HIGH

But the declining traffic was not the only blow to the company. The operation of the system was unnecessarily expensive. For one thing, the company produced its own power; and as the power plant was out-of-date, costly to maintain, and ill adapted to the irregular demands of the service, the price of power was above the ordinary market rate. It would have been cheaper to buy, but the company was saddled with the plant and had to use it. Another expense arose from the use of tracks and power by the interurbans from Indianapolis and Fort Wayne. The service was paid for, but the greatly increased cost of maintaining tracks and pavements, the occasional interference with local schedules and, most of all, the difficulty of preventing the interurbans from getting more power than they were entitled to, made the arrangement a costly one. Then again, some of the lines operated by the company—evidences of early enthusiasm for the well-being of the community—had ceased to be profitable, and should have been abandoned. This was particularly true of the Battle Ground line, nine miles in length up the Wabash River to the Indiana State Soldiers' Home and on to the small rural community of Battle Ground. The modest traffic over this section, its inordinate length, and the necessity of maintaining a bridge, already in a dangerous condition, made it grossly unprofitable.

PROPERTY SOLD AT AUCTION

Such were the problems facing the receiver in October, 1921. They might have been solved had the company been able to raise capital for a complete program of reconstruction. But the credit of the company had long since evaporated, and the only alternative was to sell the property. Accordingly the court authorized a sale, and in March, 1922, three separate parcels of property were sold at public auction in the city of LaFayette: (1) A derelict amusement park on the Wabash River, a sad relic of early extravagance, sold to the Soldiers' Home for $6,000; (2) The power plant, for which the local public utility paid $95,000; (3) The street car system property with its lines and car barns and such equipment as was not hired, which was finally bought by a group of local capitalists for $75,000.

There had been much speculation as to the probable fate of parcel number 3. For there were two, and only two, alternatives. One was that a local junk dealer would buy it, scrap the rails, and other equipment, and so end the system. The other was that some public-spirited people might have sufficient belief in the need of the town for a street railway to be willing not only to buy the property, but to put up the considerable sums necessary for its drastic rehabilitation. No other alternative seemed possible. So there was a dramatic moment on the east side of the public square when one March morning, a master in chancery stood where usually aspirants for political honors hold forth to woo the suffrages of the local voters, and offered for sale the operating property of the LaFayette Street Railway. And there occurred something more significant than political speeches, when the local capitalists outbid the junk dealers and for $75,000 bought the job of rehabilitating a broken-down street-car property. For this hardy deed saved to the community a transportation system that was essential to its well-being and that could never have been adequately replaced by any arrangement of jitneys.

So ended the old company with all its liabilities, and a new crowd entered into possession of the depreciated wreckage free from all encumbrances save a year's taxes and some $4,000 in bank loans. The county commissioners with their claims for bridges dues, and the eastern bondholders together with the faithful Real Estate Trust Company of Philadelphia now pass out of the picture.

LOCAL OWNERS TAKE CHARGE

The new owners of the property, the LaFayette Street Railway Company, immediately proceeded to carry through a complete program of repairs, replacements and improvements, costing to date some $275,000. Tracks were relaid, surface repaired, some mileage restored that had been abandoned, double track extended, automatic switches installed. Some of the more unprofitable sections were abandoned, particularly certain lines in West LaFayette and the line beyond the Soldiers' Home to Battle Ground, despite the piteous outcries of the rural residents. Having a free field in the matter of cars, the company purchased and put into service fifteen one-man safety cars of the Standard Birney type, of light weight (15,500 pounds) and seating thirty-two passengers.

In the meanwhile protection against the destructive competition of the jitneys had been secured from the authorities of the two towns by the passage of the necessary ordinances. Barred from the streets used by the street railway and with no means of access either to West LaFayette or the Soldiers' Home the jitneys evaporated like the snows of yesteryear. In fact, most of the jitney owners seeing the end approaching, had already settled their affairs and departed.

The capitalization of the company was finally fixed at $300,000; $200,000 in twenty year 7 per cent bonds sold at par, and $100,000 common stock, of which $80,000 has been issued and is held by a small number of local capitalists. The purchase of the cars was financed to the extent of $50,000 by the issue of car-trust obligations of which less than half are now outstanding. In addition there are certain bank loans of modest amounts.

DEFICIT TRANSFORMED INTO NET INCOME

The company has now been operating two years and a half, and unquestionably is a notable success. In the last year of the old company's existence, before the receivership of October, 1921, the operating deficit was $11,060; in 1923 the net operating income was over $37,000. In less than two years of operation, the new company was able to increase net earnings by over $48,000, and turn a loss into a net profit, after all interest charges had been paid, of over $21,000. This is a notable earning on an outstanding stock issue of $80,000.

The reasons for this surprising achievement are to be found partly in the increased volume of traffic, partly in economies of operation, partly in the good will rising from local ownership and management.

(1) *Increased volume of traffic.* The essential weakness of the old company was the growing unwillingness of the public to ride on the cars. But the backers of the present enterprise were convinced that this condition was artificial and could be corrected. They believed that the normal growth of population, the increased habit of riding (as to the movies, day and night), and the elimination of other forms of

transport, would bring traffic to any system that offered even moderately respectable service; and that good modern cars operated with reasonable headway and convenient schedules ought to increase traffic enormously.

In this the proprietors were right. The public was given a most admirable service. They were offered nice bright shiny cars instead of antiquated pigpens; the cars were operated on a 12-minute headway instead of 15 or more as of old, and on a 6-minute headway on Main Street and across bridge and levee; the schedules were rigidly adhered to; through lines were established to replace the awkward, slow and costly system of breaking all traffic at the public square; adequate extra service was afforded at peaks and for after-theatre traffic; an owl service was established to West LaFayette so that students with dates in town could get home; the operators were instructed to be polite and engaging. The service, to repeat, was admirable, and the public responded nobly. Within two months, the traffic had increased 60 per cent.

A substantial part of this improvement must of course be attributed to the elimination of the jitneys, particularly in regard to the West LaFayette line, where competition had been most deadly; but it must in fairness be said that the superior attractions of the new railway service would have cut heavily into jitney traffic in any case, not perhaps among the student population with its mania for speed and noise, but among the ordinary resident riders who deplored the irresponsibility of the average jitney driver.

The statistical evidence of this increase is worth recording. Whereas in the first nine months of 1921 the old company carried 2,045,172 revenue passengers, the new company carried 3,094,018 in similar period in 1923 and 3,098,516 in 1924, an increase of over 50 per cent. This gain has more than offset the reduction of fares from seven cents to five, a passenger revenue of $143,162 in 1921 increasing to $154,700 in 1923 and $154,925 in 1924.

(2) *Economies of operation.* The most important single source of saving is the one-man car, by virtue of the elimination of the unnecessary conductor. It is true the wages bill is not cut in half, since the company pays higher wages than the old scale, and in addition has to maintain signalmen at the three steam railroad crossings, where formerly the conductor got out and looked. But, even so, the one-man car has reduced the wage bill about 27 per cent, which means a very substantial saving in the costs of operation. Moreover the one-man car, by virtue of its light-weight and safety devices reduces the cost of power, the wear and tear on the tracks, the number and cost of accidents, and the initial capital outlay.

Another considerable saving is in the cost of power. By eliminating the old power plant and purchasing power when and in what amounts it wants it, the company is saving at least 15 per cent in price per unit of power. And as the use of lighter cars and the abandonment of some outlying parts of the system, also reduces the amount of power units used, the company makes a double saving of some $10,000 a year, a sum which of itself would almost wipe out the operating deficit of the year 1921.

Expense has been reduced also by the elimination of burdensome assessments for the use of streets and bridge. The liability for rebuilding the bridge, which was such a burden on the old company, is a thing of the past; today the street railway uses the bridge on the same terms as it uses the streets. And in regard to the streets, it maintains the pavement between the tracks, but does not have to pay for its installation or renewal. More exactly, it pays only for that part of the cost of construction that is due to the extra depth of foundation required for car tracks.

WHAT LOCAL OWNERSHIP MEANS

(3) *Local ownership.* The statistical proof of prosperity can be found in traffic revenues and the reduced expenditures, but there is an element in the success of this venture which, though intangible, should not be overlooked. I mean the effect of local ownership. The men who have financed the business are local people. They are interested in the community as well as in the railway property. They are interested in giving good service as well as in earning profits. They are not outsiders regarding the business as a money-making machine, with all the attendant possibilities of exploitation, improper maintenance, poor service and all similar devices for making profits at all costs. Moreover the local ownership adds to the good will of the company in the hearts of the public. The hostile attitude that did so much to wreck the old railway arose not merely from the abominable service, but from a feeling that "the interests" were getting all the fun. And "the interests" were outsiders like the Fort Wayne and Northern Indiana Traction Company with its far-reaching connections. That feeling does not exist today. It has been claimed that resident shareholders are largely responsible for the success of the Cleveland Street Railway. The same could well be said of LaFayette.

If there is any moral to be drawn from this account of the advance of the LaFayette Street Railway Company, it is that what has been done in LaFayette can be done elsewhere. LaFayette has no obvious advantages of location. It is scattered, it has hills, it is not a big town with a heavy business to draw from. It is probable that the physical peculiarities of the locality count for nothing in the success of the company. What does count is the one-man car, the purchase of power, the elimination of the jitney, the rigid determination to give adequate speedy and comfortable service under all circumstances, and the mutual good will arising from local ownership. On the face of it, these are conditions for success that any small community with public spirit could command.

A DEFENSE OF PUBLIC BORROWING

BY CHARLES K. SUMNER

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The author believes that public borrowing, as against pay-as-you-go, is legitimate under present circumstances. :: :: :: ::

The old question of bonding or paying as we go has been threshed out time and again, and more recently has been very ably discussed by contributors to the National Municipal Review. Most of these favor paying as we go. Something, however, remains to be said, for little attention seems to have been paid to certain factors which lead in the end to an entirely different view of the matter.

It has properly been taken for granted that our public borrowing is not merely an occasional or emergency practice, but that it has become an accepted financial policy which is applied to practically all our capital demands no matter with what certainty or regularity they may recur. And it has been well argued that recurrent borrowing necessarily involves a cumulative bonded debt, and such a piling up of principal and interest charges that in time the taxpayer will be heavily penalized instead of enjoying the advantage which has been claimed; that is, of using the assumed tax saving at a higher rate of return than need be paid upon the capital we borrow. But the assumptions upon which this argument has been based are open to some important qualifications.

It may be said of most public improvements, school buildings for example, that the additional facilities required reflect more or less directly the increase of population. The rate-characteristics of this increase, and their effects upon the accumulation of bond issues and bond tax payments, therefore deserve careful consideration. For the quantitative elements of the question must be fairly understood before viewing it in its broader aspects.

According to Levasseur's hypothesis, which has been amply supported by statistics, "the attraction of human groups, like that of matter, is in general proportionate to the mass." Cities therefore tend normally to increase, both by immigration and by the excess of births over deaths, at a geometric ratio which is most intelligibly expressed in percentage terms like compound interest. A survey made by the writer in 1917, covering the growth of 127 American cities between 1870 and 1910, showed that about one-third of the entire number had increased at average yearly rates of between 2½ and 3½ per cent, with a general average for this group of close to 3 per cent. Graphs of five population groups resulted in fairly consistent compound interest curves and confirmed the fact that the normal increase is progressive, not merely constant as is commonly assumed.

Now the effect of progressive increase upon the relation of bond issues to bond tax payments is also quite different from that which is deduced from the assumption of a constant increase, as made by Mr. Zukerman in urging the cheapness of paying as we go. This fact may be developed graphically in a striking manner, or with less labor by analysis. Let us assume, for convenience, yearly issues of straight serial-payment bonds beginning with the amount B, increasing progressively at the population ratio r, and with maturities of m years; then the series of issues will be B, Br, Br^2, ... Br^m, this last term being the greatly enlarged bond issue required at the year of maturity of the first issue B. With any interest t the sum of all principal and interest payments on all outstanding issues at this year will then be:

$$\frac{B}{m}\left[\frac{r^m-1}{r-1}+t\frac{mr^{m+1}-(m+1)r^m+1}{(r-1)^2}\right]$$

This is merely the integration of the last term of Mr. Studensky's interesting equation, offered in his further argument for paying as we go, but with the increase ratio applied, as developed by the writer some years ago for a study of school building finance. Substituting now the same numerical values that Mr. Zukerman has used, viz., a first issue B of $100,000, 20 year maturities, m, 4½ per cent interest, t, and in addition the typical increase-ratio of population 1.03, we obtain the following figures:

Principal and interest charges at 20th year	$203,740
Bond issue required for improvements at 20th year	180,610
Excess, about 12.8 per cent	$23,130

That is, with a normal rate of population increase, the excess cost of maintaining the bonded debt by bond tax payment, over the cost of paying as we go, will be only 12.8 per cent, not 47.26 per cent as calculated by Mr. Zukerman on the assumption of a constant instead of a progressive increase. It follows also that under the same conditions the period during which yearly bond payments will be less than the required yearly bond issues will be considerably longer than he has stated. And after the twentieth year the percentage of excess will remain the same, in this case about 12.8 per cent, although its numerical value will of course increase progressively with the other increasing factors involved. With 5 per cent interest, other factors remaining the same, this constant excess will rise to about 17.1 per cent; and similar relative increases will result from longer maturities. It seems therefore that Mr. Zukerman's figures do not show us exactly what happens, under average conditions of increase, and that the penalty of borrowing is not nearly so severe as he has claimed. At the same time it appears that the hope of avoiding this penalty is vain, and that the savings which Mr. Cummin, as an advocate of borrowing, would set to working and compounding are themselves only temporary and will give place to excess taxes compounding quite the other way.

Now while this line of reasoning may be sound, so far as it goes, even the slighter penalty to which it points does not seem to have appeared in actual experience. Doubtless in some cases there have been certain years and shorter periods in which bond payments of principal and interest have definitely exceeded the proceeds of bond sales, as happened in Kansas City School District from 1909 to 1913, but the averages for longer periods show no such relation. The obvious reason for this is that there are still other factors involved, some of which, like the growth of ratables and capital outlays, have been mentioned merely as tending to delay the effects and obscure the costliness of borrowing. But these factors may rather be examined for the light they will throw upon the whole question of public borrowing and for such help as may be had in interpreting conditions as we find them.

Factors of a more or less temporary nature may be disposed of first. The cycle of recurrent borrowing may be only partly developed, at which stage bond payments are relatively small and very easy to carry. As the cycle develops, all possible devices will be employed and abuses of public credit indulged in to preserve this advantage, some of which we know very well. Time, however, will complete the cycle and deal with these abuses. Price inflation is another temporary factor, the bearings of which are well enough understood not to conceal the facts or obscure the issue. We are dealing of course primarily with values.

This leaves to be considered a group of related factors which appear in the course of recurrent borrowing, the effects of which are general and persistent and also very interesting and significant. These factors are the acceleration and deceleration of population increase, capital expenditures, and ratable values.

Our calculation of the excess cost of borrowing has been based so far upon the typical rate of progressive increase. This however is not necessarily the normal rate for cities variously circumstanced. The survey already referred to revealed the further facts that the characteristic rate of yearly increase for smaller cities was over 4 per cent, with frequent high extremes, that certain groups of larger cities, notably the Great Lake ports, steel centers, and Pacific coast trade centers, had maintained averages nearly as high, and that individual cities of these groups had also maintained over considerable periods rates averaging as high as 6 to 8 per cent, with a few exceptions going even higher. Now public borrowing is a usual concomitant of this swift and vigorous growth, but at these high rates of increase the relation of bond tax payments to bond issues is quite reversed. With an average increase of 6 per cent instead of 3 per cent, for example, and with other conditions the same as before, the sum of all principal and interest charges at the twentieth year will be about 11 per cent less than the bond issue required for that year instead of 8½ per cent more, and this saving again will be maintained just as long as the higher rate of growth continues. If the tax exemption of municipal bonds should be removed, a still higher rate of increase would be required to preserve this advantage. For it may be of interest to note that when the rate of increase and the rate of interest are equal, the theoretical values for bond payments and bond issues will also be equal.

The acceleration of capital expenditures and ratable values heightens the same effect. This acceleration is due partly to the greater variety of services which the growth of cities imposes, partly to the higher standards of permanence and security with which the services must be housed. The persistent rise of per capita government costs and debts in the larger cities indicates that along with the factor of population increase, and largely dependent upon it, these additional demands will accelerate the increase of capital expenditures beyond the increase of population by possibly 2 or 3 per cent. Competition and enterprise carry the same influences and tend toward the same effects in smaller as well as larger cities. The acceleration of ratable values which follows the increase of population is not reflected in lower per capita levies, but in a lower tax rate than would otherwise be necessary, and this affords a further measure of relief. But the acceleration of ratables is not swift, probably less than one per cent, so that it will not add greatly to the advantage of the borrowing process. As an example, therefore, a vigorous population increase averaging 6 per cent may be reflected in an accelerated rate of capital expenditure as high as 8 or 9 per cent, and the average yearly tax saving incident to the bonding process will then rise to 20 or 25 per cent. This is a moderate estimate of the relation as it is seen to exist, making due allowance for the vagaries and differences of individual cases, and as it results from the interaction of normal and obvious causes. In spite of our sufficiently long indulgence in borrowing, therefore, and dire warnings to the contrary, it seems that the predicted penalty is yet hardly in sight; and furthermore, that this situation is not abnormal but quite in the nature of things.

But the question still remains, how long can this proved advantage of borrowing continue, and what will happen after it ceases? This of course will depend upon the deceleration of these same factors of population, capital expenditures, and ratable values. The study of city populations already referred to showed that while the smaller cities and the more vigorous large ones grow at rates greatly in excess of the average, larger cities as a rule grow at a slower rate and in these cities the rate of increase, while still progressive, tends definitely to decline. This is an inevitable qualification of Levasseur's hypothesis. It appears, however, that this deceleration is normally a very gradual process, a decline in average rates of only about 1½ per cent occurring while the population multiplies about ten times, which at ordinary rates of growth would require from 40 to 80 years. Individual cases of course would vary greatly from the average.

If this relatively slow decline in the rate of population increase is normal, however, as it appears to be, then it would seem that the deceleration of capital expenditures, which tend to follow population, will also be gradual over a long period of years. A deceleration of ratable values in relation to the population increase, while reasonable to anticipate, would be so gradual as to be negligeable. During this extended period a condition may be reached when, according to our theory, the sum of principal and interest payments upon the outstanding debt will equal and then exceed the capital requirements to be financed, and the long delayed penalty will finally appear. But it seems equally probable that the approach of this condition will give its own warning well in advance, and that the simple remedy of postponing further large outlays and bond issues will then be employed to lighten the tax burden as much as possible and relieve the pains of readjustment. It is submitted that this also is a reasonable approach to the facts of public borrowing experience which has been carried far enough to reach this stage, while at the same time it is recognized that this experience has not been long or consistent enough to yield data of real value.

Now while it appears from this analysis, as from the condition which it explains, that under normal conditions the penalty of borrowing is neither so swift nor so severe as it has been represented, it is not intended to minimize this penalty or deny the certainty of its ultimate arrival in such degree as it has been earned. It will be preferable however to regard the burden of carrying an accumulation of debt not as punishment, but as compensation; for this more qualitative point of view will help to clarify the whole process and give it a rational meaning.

In the typical borrowing process we

have, first, a more or less extended period during which a considerable degree of relief is had by this method of financing. During this period we are enjoying a great variety of improvements, which we are unwilling and probably in most cases unable to pay for, the greater part of which are wisely conceived according to our collective intelligence and tend as a whole to conserve energy, enhance human life and add to the attractions whereby the city grows in population, productive power and the ability to pay. They are the outward and visible signs of our progress. But it is not to be overlooked, as we have been prone to do, that progress bought in this way must itself be paid for. A corresponding period must follow when taxation will be excessive as compared to the benefits received. We cannot go on increasing our civic attractions and productive capacity indefinitely on a credit basis, we must pause occasionally or eventually to let production catch up and help pay the cost. If we strain our credit early we shall have to limp all the sooner and more painfully in the race. Our civic progress, therefore, will itself be plainly marked by cycles of acceleration and deceleration. If on the other hand our betterments are being paid for out of current revenue, on the pay-as-you-go plan, we should expect to enjoy a more steady but a much more conservative rate of improvement. The cost of borrowing, then, is simply the cost of accelerating progress and improvement.

This puts the wisdom or unwisdom of public borrowing in a different light. Judging the practice by its local or temporary effect, it has been claimed both that borrowing will save our money and that it will waste our money. Other things being equal, neither can be the case, since in the end our present advantage and our future compensation must precisely balance. Public borrowing must be judged by effects broader than its money cost. Will it profit a community more in advancement and prosperity, then, to increase this present advantage and hasten the present progress, all at the expense of progress later on? Granting that this is prudently done, the answer would seem to depend upon a variety of conditions and circumstances. The genius of one people or community may express itself more efficiently through a process of stimulus and reaction, such as we see reflected in our recurring business cycles, while that of another may accomplish as much in the long run through a more steady, conservative type of enterprise. There should be no great or permanent advantage either way. The question is more or less academic, however, for the rhythm of stimulus and reaction seems to be inherent in the type of human nature which determines our entire scheme of things. This being the case, public borrowing is with us an entirely normal, legitimate and truly conservative means whereby the stimulus of collective progress may be expressed. In this sense it is an instrument which needs no apology.

The question of course is equally academic in its less general aspects, and becomes one of expediency rather than of financial or social theory. For we usually find ourselves, not conveniently at the beginning of a cycle with a conscious choice to make, but bound by all sorts of limiting circumstances which our predecessors and we ourselves have combined to create. These are impossible to escape. And human nature, we discover, has other and less worthy inclinations than for the stimulus of progress, so that "other things" will not be equal in the equation of present benefit and future compensation, and it cannot yet be granted as a premise that our public borrowing will be prudently done.

This leads to the crux of the whole situation, for the easy and unregulated borrowing which is now the rule begets extravagance and inefficiency in outlays and all the other evils which have been complained of and charged against the borrowing practice. But these abuses of public credit are the quite unnecessary accompaniments of borrowing, not its necessary effects, and it would seem wiser and promise to be far more effective to concentrate against them than to deny the reasonableness and service of the practice itself. If we can establish and enforce reasonable criteria of the use of our public credit, such as to abate these evils, then we can count upon the measure and the effects of public borrowing to take care of themselves.

It is to be emphasized however that if the regulation of borrowing practice is to be truly effective it must be comprehensive, and based upon sound principle of community service and obligation rather than the attraction of investors. Due consideration should be given to the character of the city's growth and its effects, to the course of depreciation, with special reference to obsolescence, and to all other elements which have to do not merely with temporary advantage but with our present and future progress as a whole. And it is cheerfully predicted that, if public borrowing is thus limited to the service which it can best promote, we shall find ourselves, in a much greater degree than at present, paying as we go.

The discussion leading to these conclusions is necessarily brief, and many aspects of the question have been passed by or overlooked. The argument however is simple and may be summarized as follows:

1. The normal average growth of city population is progressive, not by constant increments. The normal increase of capital expenditures is also progressive and at a higher rate. The deceleration of these rates of increase is normally very gradual.

2. With a rate of increase of capital expenditures above the average, the tax saving secured by borrowing continues in a more or less moderate degree; when it slackens to around the average or lower, compensation must be paid in more or less moderate excess taxes.

3. A high rate of population increase usually brings extraordinary demands for improvements and affords a strong stimulus to progress; a low rate brings comparative stability and quiescence.

4. The process of stimulus and reaction thus represented is our normal and most effective mode of progress. Public borrowing is a legitimate means of promoting this stimulus, and if wisely regulated its cost is moderate and paid as compensation, not as penalty or waste.

5. The use of public credit is therefore sound in principle, but it should be duly regulated in the interest of future as well as present progress.

MILWAUKEE'S PROPOSED SERVICE-AT-COST FRANCHISE

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A case where the municipality and the utility have by mutual concessions reached a practical working basis. :: :: :: ::

The adoption of the principle of public service commission regulation of public utility rates worked revolutionary changes both in the relation of the general public to the utility and in the relation of the utility to the investor. Prior to the adoption of this system an investment in public utilities was essentially speculative in that it looked forward to a possibly high return and took its chances of an inadequate return or, so far as the capital stock was concerned, of no return at all. The public, on the other hand, looked forward usually to a fixed service charge and quite naturally sought to impose upon the utility all special taxes and public burdens that could be legally justified, such charges being essentially a tax upon the stockholders of the public utility corporation.

Commission regulation immediately destroyed the chance of a high return and would have rendered the utility field altogether unattractive to the investing public had it not compensated for this limiting of the right to earn by an implied promise that rates would be so adjusted as to provide a reasonable return over and above operating expenses, taxes, and all public burdens that might be then or thereafter imposed.

But unfortunately for the smooth working out of the theory, it usually involved an elaborate valuation proceeding subject to court review, and leading, under the existing law, to a rate base which might be either below or above the sum total of the dollars originally devoted to the public service.

In consequence, commission regulation is not entirely satisfactory either to the public or to the investor. Both parties are dissatisfied because of the delay incident to valuation and the enormous expense involved. The public is dissatisfied because, as is now the case in view of the wartime change in the purchasing power of the dollar, the rate base may be much in excess of the number of dollars actually invested in the utility; while the investor, particularly in those cases where the utilities have been built during the peak of prices or made important extensions during that time, is dissatisfied through fear that the application of the theory will give a rate base substantially below the number of dollars actually invested in the business. There is therefore a general interest in any plan that will, first, safeguard the public against exploitation or the payment of unnecessarily high rates for service; second, safeguard the investor and assure him permanently of an adequate return upon the money devoted to the public service and so facilitate the flow of capital into the utility field; and third, protect both parties against the unnecessary delays and enormous cost of valuation and rate cases.

The proposed contract between the Milwaukee Electric Railway and Light Company and the city of Milwaukee is an interesting contribution to the solution of this problem and is well worth detailed study by any open-minded student of the relations between municipalities and their public utility corporations. Its interest lies not in the fact that it is a service-at-cost franchise, for many such franchises have been presented and discussed from time to time, but in the mutual concessions that have been made by the municipality and the utility in order to reach a working basis and in the safeguards that have been devised for the protection of the interests of both parties.

RATE BASE

The company for the purposes of this contract, waiving all consideration of going value and of present-day unit prices, accepts original cost as a rate base and agrees to pay into the depreciation reserve interest upon the amount already in that fund. The city, on the other hand, waives any claim for the deduction of the depreciation reserve in the determination of the rate base and accepts as rate base the original cost of the property, plus subsequent additions, minus subsequent withdrawals, and plus any deficiency in the balancing reserve hereafter noted.

THE BALANCING RESERVE

The company agrees to create at the beginning of the operation of the contract a balancing reserve of $700,000, to which shall be added from month to month any excess of income over and above operating expenses, taxes, reserve appropriations, and the agreed fair return. Any deficit of revenues below the sum total of these items shall be made up by drawing upon the balancing reserve. If at the end of any quarter the balancing reserve exceeds $1,050,000 and is still increasing, rates are lowered one step in the agreed scale, the excess in the fund over $700,000 is transferred to the city's credit in what is known as the city's equity account, and the city is also to be credited in this account with 4 per cent on the excess of the stabilizing reserve above the $700,000 at which it is originally fixed.

If, on the other hand, the stabilizing reserve is below $350,000 at the end of any quarter and is still decreasing, the rate of fare goes up one step in the agreed schedule. Moreover, in the computation of the rate base any deficit in the stabilizing reserve below the original figure of $700,000 is added to the agreed value of the property.

TREATMENT OF OTHER RESERVES

The proposed franchise wisely avoids the attempt to fix permanently the amount which shall be set aside for depreciation or other reserve purposes, leaving the amounts to be appropriated annually to these reserves, in general, subject to readjustment and modification from time to time. The public is protected, however, against the accumulation of excessive reserves by a provision that the excess in any reserve which has been overpaid shall be transferred to the city equity account, while the company is protected by the express provision that appropriations of proper amounts (in the case of the depreciation reserve not less than a fixed minimum) shall be included as a part of the cost of service. Moreover, except in the case of the insurance reserve, it is expressly stipulated that the assets represented by these reserves shall be at the free disposal of the company for use either as working capital or for expansions of investment in fixed property. As a natural corollary of this permission the company obligates itself to pay into each reserve 4 per cent interest annually upon the current monthly balance.

RATE SCALES

No attempt is made to fix either a maximum or a minimum limit to the rate scales which may be established in the future. Six schedules, three above and three below the present schedule, are to be filed with the original contract, but the city obligates itself to furnish additional schedules from time to time so that there will always be on record at least two schedules above and below the then current schedule.

RATE OF RETURN

The rate of return is not fixed at any definite figure. It starts at 7.7 per cent but is to rise or fall with any increase or decrease in the average interest rate (now 5.7 per cent) which the company is paying upon borrowed funds, the additional cost or savings being divided between the public and the company. It is obvious that a marked increase in the interest rate would unduly reduce this differential. For that reason this method of determining the rate of return is restricted to cases where the average interest rate is less than 6.3 per cent. If the average interest rate passes beyond this point the rate of return is to be agreed upon independently between the parties.

Apart from this change in the rate of return, which will operate as an incentive to purchase money at the lowest possible cost, there is nothing in the contract to operate as a stimulus to that super-efficiency which is possible in any business but which is obtained only when there is in general a prospect of greater reward.

POSSIBLE MUNICIPAL FINANCING

The contract contains elaborate provisions by which the city may from time to time acquire a financial interest in the property by the direct advance of funds through the purchase of all or some part of future bonds and note issues, by the purchase of special bonds protected by a municipal mortgage (junior to existing mortgages and to be issued only to the municipality), or by the direct advance of funds credited to the city in the city equity account.

THE CITY'S EQUITY ACCOUNT

This, which is relatively new in service-at-cost franchises, shows at any time the total interest of the city in the property of the company. It is made up of excesses in the stabilizing reserve, in the depreciation and operating reserves, and of cash loaned by the city from time to time. Interest is charged the company on the whole of this fund, but only so much is actually paid over in cash to the city as represents the interest upon the funds definitely loaned by the city. The assets offsetting this city equity account are, of course, supposed to be invested in the business.

THE CITY'S RIGHT TO PURCHASE

The contract expressly provides that the city shall have the right on proper notice to purchase all of the property of the company situated within the metropolitan district. These purchase provisions are rather complex but are intended to, and apparently will, result in securing the property for the city at original cost less such depreciation as has actually been paid for by the public over and above a fair return, and on the other hand will secure to the owners of the property a return of the total original investment over and above a fair return for the entire contract period.

TERMINATION OF THE CONTRACT OTHER THAN BY PURCHASE

The contract also contains a series of carefully worked out provisions covering the chance that the contract may be terminated in the future without the purchase of the property by the municipality. These provisions are necessarily somewhat involved, but the substance of them is the provision that the amounts credited to the city on account of excessive reserves, together with the interest on such amounts, shall be charged back against the city and credited to the appropriate reserve, with the understanding that the public service commission of the state will utilize any excessive amounts then in the reserves to amortize a part of the original capital investment in the company, and thus lower the future rate base. In other words, the city's equity account, except insofar as it has been built up by cash actually loaned by the city, will not be turned over to the city but may be used by the commission for the reduction of whatever fair value the commission may then fix.

ARBITRATION

The committees working upon the contract wisely recognized the fact that many points must be left open for future adjustment. We therefore find frequent references in the contract to arbitration. At the option of the city this arbitration may be by the state commission, or by an independent board created in the usual fashion, with careful safeguards against having interested parties upon the arbitration board.

GENERAL STATEMENT

If we attempt to summarize the probable results of the operation of the contract, it may be said that it secures to the investors stability of income, protection of property against deterioration of various kinds, and, assuming that the capitalization of the company does not exceed its historical cost, a 100 per cent liquidating dividend in event of the taking over of the property by the city. The city, on the other hand, secures a lower rate base than it could secure in a valuation proceeding, protection against the building up of excessive reserves, and an opportunity to hold down the interest rate and therefore the rate of return through its privilege of financing the future needs of the company if it so elects.

The weakest point in the contract would seem to be the lack of any reward for efficiency. The city has the right of inspection of processes, methods, and practices, and the right (subject to arbitration in event of dispute) to insist upon the adoption of new methods; but it is doubtful whether such outside inspection and suggestion can be made equivalent to internal efficiency inspired by the promise of an increased return.

It is to be noted that the city does not guarantee that the company will earn a fair return. If it is not earned, the rate is stepped up and may be stepped up again and again, but if it passes the point at which the service can be sold there is no guarantee on the part of the city that the deficit so created will be made up. If the contract is terminated by municipal purchase the resulting deficit below a fair return is not repaid. If it is terminated in any other way, the parties unite in requesting the state commission to take account of such deficit so as to place the company as soon as possible in the same position it would have occupied if the deficit had not existed.

The contract is also silent as to protection of the street railway side of the company's operations against competition from other forms of mass transportation. It may be that this problem is covered by existing regulations of the state commission, but a modern franchise should so far as possible provide that the public utility which is able and willing to furnish the necessary forms of service should have the exclusive management of mass transportation within the municipal limits.

PROBLEM OF GOVERNMENT SIMPLIFICATION IN PORTLAND, OREGON

BY C. C. LUDWIG

President of the Portland City Club

Wastes due to scatteration of legal and administrative power in an urban territory. :: :: :: :: :: :: :: ::

The people of Portland, Oregon, like many other metropolitan communities, are confronted with the problem of reorganizing their local government. This government at the present time is divided among six governing bodies —a city council, a board of county commissioners, a port commission, a dock commission, a school board and a library board.

At least two efforts have been made in the recent past to simplify this arrangement along the line of consolidation. One of these was the adoption of a charter amendment providing for optional consolidation of the dock commission and the port commission. This option has not been exercised, the dock commission, a city-appointed body, being unwilling to turn over valuable terminal properties to the port commission, a body appointed by the governor of the state. The other attempt at consolidation was a proposed constitutional amendment providing for consolidation of county and city and authorizing a charter commission. This resolution was presented to the legislature in 1919 but failed of passage.

During the past year interest in the subject of consolidation has been revived and the City Club has begun a comprehensive study of the broad problem of simplification of Portland's government. It is realized that a major program of this kind will require several years of time and to be successful must extend its appeal from a single or a few civic agencies to the whole community. However, it is thought that the City Club can well begin by making the basic fact studies and indicating the kind of enabling legislation that will be required to make the program official.

A sketch of the evidence of disorganization and complexity which has led the City Club to undertake this program may be of interest to others having similar problems.

In the first place, of course, the club has been influenced by the general consideration that a periodical survey of local government is desirable in every community. A good corporation will occasionally make a complete survey of its machinery and methods to determine whether these need overhauling and modernizing. In many ways the government of a metropolitan community is like a big business. Certainly it would seem to be good policy in times of rapid change like the present for a community to take stock of its governmental arrangements every dozen or fifteen years.

More specifically, how does Portland meet the tests for the government of a large city? Three of the important criteria which Charles A. Beard has laid down for testing the government of a metropolitan are these:

1. Is the political jurisdiction of the city extensive enough to cover the entire urban area?
2. Are related functions performed by single or closely co-ordinated departments rather than by independent agencies?
3. Does the overhead control vest in a central accountable legislature which has available for use an ensemble of information on accounts, budgets, taxes, and indebtedness?

Portland cannot meet these requirements. Portland has six governing bodies and in addition a Tax Supervising and Conservation Commission which has a limited jurisdiction over budget and tax levies. In fact, the creation of the Tax Supervising and Conservation Commission can be regarded as a practical expedient to secure a measure of co-ordination in the finances of the governing bodies. However, there can be no permanent solution as long as the government of the city is split up among six bodies which are more or less independent.

NO SINGLE JURISDICTION OVER URBAN AREA

The main argument for consolidation is not so much the waste arising out of duplication of overhead offices (although there is some duplication in the governing bodies themselves and in the legal, engineering, accounting, treasurer's and purchasing departments) as it is the lack of complete jurisdiction over the entire urban area and the many diversities in methods and jurisdiction where there ought to be uniformity. Both of these facts are serious obstacles to the quick and efficient solution of our city planning and other problems, in fine are a handicap to the best government of our community.

Most of the services of local government are performed in whole or in part by the municipality of the city of Portland, but there is a large suburban fringe outside the legal limits which is a part of the economic city and to which these services are not available and over which desirable public control does not extend. For example these suburban districts cannot properly provide for police and fire protection; they are not subjected to building code control and health inspection; they cannot provide street improvements under a practical assessment procedure as they could if they were inside the city line; they are unable to get sewer systems and have to form independent municipalities in order to get the benefits of the Bull Run water supply.

There seems to be no logical reason why the hospital service furnished by the public should be split between the county and the city, the people outside the limits of the city contributing to the general charity hospital and the tuberculosis pavilion but not to the emergency hospital or the isolation hospital. Until a year ago a similar situation obtained in the matter of the care of delinquents, the detention home for children being under county jurisdiction and financing while the women's detention home was under city control.

The functions of the port of Portland and the dock commission both relate to the same purpose yet the territorial jurisdiction of the one is much larger than the other. In other words, the property owner in the suburbs of Multnomah or Hillsdale should be required to contribute taxes for dock terminal development as well as for port channel development and maintenance.

But even if the entire urban area were within the city limits, there would still remain much diversity in methods and authority due to the existence of over-lapping jurisdictions in the same territory.

First, there is diversity as to the method of selecting the governing bodies themselves. Of the six bodies, three are elected, two are appointed and one is a combination of ex officio and self-perpetuating.

Then, there is diversity in the method of selecting administrative officers. In the main the city administrators are appointed while the county administrators are elected. The diversity is particularly noticeable when applied to various positions whose duties are similar, for example:

(a) Chief of police—appointed.
 Sheriff and constable—elected.
(b) City treasurer—appointed.
 County treasurer—elected.
(c) City engineer—appointed.
 County surveyor—elected.
(d) City attorney—appointed.
 County attorney—elected.

This citation is not made for the purpose of arguing for either the method of election or the method of appointment but merely to raise the question why some administrative officials are elected when others doing the same type of work are appointed.

STREETS

Perhaps the most obvious discrepancy in jurisdiction is that which exists between the city and the county with regard to streets. Legally the streets of this urban area which we call Portland are divided into three classes. If they are outside the city limits, they are either (a) dedicated streets, or (b) county roads; if they are within the city limits they are either (b) county roads or (c) city streets. Each of these classes is subject to a different kind of legal control. Only county roads and city streets may be improved at public expense, the roads being improved at general taxpayers' expense while the city streets are financed by assessment against benefitting property.

Lucky is the man in the city whose property abuts on a county road, for his highway is built and, if need be, rebuilt, at the expense of the general taxpayer, while his unfortunate neighbor on the city street has to pay for his highway by special assessment. It is true most of the county roads within the city limits are more or less arterial in character and confer a benefit which is general as well as local in character, but this is also true of many city streets which have been entirely financed by local assessment.

On at least two occasions city streets have been temporarily converted into county roads for the purpose of getting the county (general taxpayers) to put in the pavement and have then been re-converted into city streets. This procedure has also been proposed in other cases. In two cases county roads have been taken over as city streets with the county contributing the cost of an 18-foot strip of pavement. This latter procedure would seem to be more defensible than the former, particularly if the county road is arterial in nature; but a situation of this kind is a real handicap to city planning and offers a good opportunity for bargaining. Surely it would be much better if all the streets of the city were under one legal jurisdiction.

In addition to the difference in legal jurisdiction, there is also in many cases a material physical discrepancy between county roads and city streets. County roads have been built up with a series of macadam redresses, have high crowns and deep gutters for drainage; city streets on the other hand are graded flatter and depend for drainage on established system of sewerage. This difference in method of drainage has accentuated the jump-offs which are so noticeable in many places where city streets intersect county roads and the city grade may be as much as two or three feet lower than the county grade.

BRIDGES

The trans-Willamette River bridges are another example of diversity of jurisdiction. When the recently authorized bridges are completed Portland will have three bridges owned by the city, three owned by the county, and one by a utility company. The public rents the upper deck of the utility bridge and the annual charge for this rent is an item in the county budget rather than the city budget. The local traction company pays toll for all cars crossing the bridges but the payments do not go to one jurisdiction but to both the county and city, depending on the ownership of the bridges. All of the bridges are operated and maintained by the county with the exception of the utility bridge, which is operated by the utility. In case that maintenance by the county includes repair to asphalt pavement the work is done at the cost of the county but by a city administrative unit—the municipal paving plant. Take the Morrison Bridge as an example of diversity of control. The bridge was built originally with the proceeds of a city bond issue and is, therefore, owned by the city. Any major repair, however, such as was done last year, is done at the expense of the county. The operation of the bridge is a county expense as is also most of the current small repair work incident to the operation of the bridge. If a pavement repair is involved the work is done by the municipal paving plant. The policing of the bridge is done by the city. What is the logic of the situation whereby property owners outside of the limits of the city of Portland should pay for the operation and repair of this bridge when they do not contribute to the policing of the bridge and do not contribute to the annual interest and redemption burden which is involved in carrying the Morrison Bridge bond issue?

There is great diversity among the governing bodies in the matter of overhead and financial control of the operations of government. Most of the accounts are on a cash basis but the city of Portland has modernized its accounting system and takes account of revenue accruals and the incurring of obligations and has tied these appropriation accounts in with a budget system and a system of appropriation ordinances which is in advance of the methods used by any of the other governing bodies. The standardization of purchasing procedure and standardization of positions and salaries would also be much easier if there were a single government for Portland instead of six.

TAX AND DEBT LIMITS

There is a diversity also in tax limits. Some of the levying bodies are subject to fixed mileage limitations while others are subject to the constitutional tax limitation which provides for a maximum increase over the levy for general purpose of the year before of 6 per cent. School District No. 1, for example, is subject to a fixed 6½-mill limitation which means practically a non-increasing levy in case the assessed valuation does not grow. Assuming that there is a reason for a tax limit which permits of a 6 per cent increase each year, how can a limitation be defended which keeps the tax for one of the important functions of government from increasing as fast as 6 per cent when in fact that particular function might be the single function of the entire group of local functions which should have the largest increase?

There is more diversity in the limitations on bonded indebtedness than there is in the matter of tax limits. The various limitations differ as to amount, kind of bond issue, and purpose for which the bonds may be issued. Some of the governing bodies are limited as to amount in dollars, whereas some are limited as to percentage of the assessed valuation. Some of the governing bodies may issue only serial bonds whereas others may issue either serial or term bonds. Most of the governing bodies are required to spend the proceeds of bond issues for capital purposes but in the case of one governing body bond money may be used for current purposes. In practically every case the issuance of bonds is subject to the qualification that popular authorization must first be secured but in the case of the port of Portland this is not true, there being a legislative authorization for the port to issue bonds in a maximum amount of two million dollars per year. The purpose of this is not to argue either for or against the desirability of requiring popular authorization of bond issues but merely to question why, when city and dock and school and county bonds must be authorized by the people, should not port bonds also be so authorized.

DEBT LIMIT LEGALLY EVADED

The diversity in this particular respect has for example during the past year permitted a transaction between governing bodies which has had the effect of nullifying the requirement that dock commission bonds must be authorized by the people. The facts in this case are briefly these. The dock commission had practically used up its popular bonding authorization but instead of going to the people for further authorization for bonds and terminal development the dock commission decided to sell its dry dock to the port of Portland. Prior to this transaction one of the two dry docks publicly owned was owned by the dock commission and one by the port of Portland, although both of them were operated by the port of Portland. Since the port of Portland is not subject to the same bonding restrictions as the dock commission it could without trouble issue bonds in payment for the dock commission's dry dock. The dock commission therefore accepted in payment for its dry dock substantially a million dollars of port bonds, which are being used to finance further terminal developments of the dock commission. It is true that this transaction was strictly legal in every respect but the people who have to repay the port indebtedness are substantially the same people who have to repay dock indebtedness and the long and short of the transaction is simply this: that approximately a million dollars worth of bonds were issued as an obligation against the people of Portland for the purpose of further dock extensions without first securing the authorization of the people therefor.

PERSONNEL

Finally, there is diversity also in the matter of personnel control. The existence of independent governing bodies makes difficult any standardization of salaries and positions. The city and the school district are operated under civil service but the other governing bodies are not. Much can be said both for and against civil service, but if it is desirable for the community, why should it be only partially adopted? For example, if it is desirable that a city speed cop riding a Harley-Davidson motorcycle and wearing a blue uniform should be under civil service, why is it not equally desirable that a county speed cop, also riding a Harley-Davidson motorcycle, but wearing an olive drab uniform, should be under civil service?

These citations indicate that the main argument for some consolidation of local government is not so much the waste of overlapping offices as it is the splitting up of responsibility.

The City Club committees which are studying how this situation may be simplified are being guided by a broad rather than a narrow conception of their assignment. It is hoped that when this basic study is finished the community will be ready to take official action along such lines as the reports may recommend.

RECENT BOOKS AND PAMPHLETS

American Government and Politics. Fourth Edition. By Charles A. Beard. New York: The Macmillan Company, 1924. Pp. 820.

Fourteen years ago the appearance of the first edition of this work marked an epoch in the evolution of college texts in the subject. The present edition, while following the lines then laid down, has been entirely rewritten, and for the traditional historical approach to the subject the author has substituted one which is functional. To him government is not essentially an embodiment of power, but an instrumentality for ministering to the collective needs of a "great society." Some of us who are teaching believe that the proper preface to what usually constitutes the student's first course in government is a simple though somewhat formal discussion of the fundamental definitions and principles of Political Science. To these the absence of any such introduction will constitute a serious defect in Dr. Beard's book. So completely is the author dominated by the functional motive that it seems doubtful whether at times the student is given an adequate idea of the machinery itself through which the functions of government are performed. But since it is always so difficult to steer a wise course between a discussion based on organization units and one based on functional differences when dealing with administrative activities, that criticism upon this subject may seem ungenerous. Likewise might it appear unreasonable to expect the author to make clear to the student the line of reasoning behind the decision in the Insular Cases.

The portion of the field least adequately treated is, perhaps, that dealing with state administration. Likewise are some of the activities of the Federal departments given scarcely the attention they deserve. Except in so far as is suggested in the excellent chart of the executive organization, the student would, for example, get no notion of the far-reaching activities of the war department in time of peace through the engineer corps of the army acting as a substitute for a department of public works and through the bureau of insular affairs acting as a substitute for a colonial office.

The author has very well brought out the evolutionary character of our constitutional system and the rather difficult subject of rights, individual and state, as well as the dual character of our government, are well though briefly handled. The chapter on "National Standards and State Relations," which deals with the new extra-constitutional relations developing from the policy of Federal grants in aid, and the extention of Federal activities in social and economic fields, is perhaps the most original feature of the book. Throughout the book there is a freedom and a freshness of treatment which is very stimulating, and which, together with its dependability as to facts, will make the work a welcome addition to the ranks of excellent textbooks in its field.

Frank G. Bates.

University of Indiana.

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Behind the Scenes in Politics. Anonymous. New York: E. P. Dutton and Company, 1924.

Behind the Scenes in Politics is not merely a lively and amusing tale but a book that schools and colleges throughout the country should use.

The author confesses that he began as the veriest novice, in fact a reformer of the "lunatic fringe" type. He fairly revels in his anonymity and keeps us guessing all through the book. The incidents recounted show that he has had the confidence of the truly great and he unquestionably tells what he learned from innermost circles. We think he is not a New Yorker because of minor slips such as confusing the "Union" with the "Union League" Club.

With much discrimination he appraises the qualities of several of our presidents in political campaigns, and in the case of Roosevelt notes qualities often overlooked, *e.g.* his leadership where possible but patient toleration where slow public comprehension tended to separate him from his following; his aristocracy in the best sense, *i.e.* vast understanding and sympathy with inferiors. He quotes from an Irishman who knew Roosevelt and said of him: "He speaks of his Bullock blood and his Dutch ancestry. He's no democrat if you mean by that he is on the level with us. He knows different. He's an aristocrat. He's a better man than most of us and that's why most of us are for him." Some day, pray heaven, the "high brow" delusion will lose its vogue that democracies necessarily invite mediocrity. True, they insist on sympathetic understanding, but after this is assured they strive for the best.

At one point he describes three or four types of great men that he had been closely associated with and challenges us to fit the men to the descriptions.

The mysteries of taking and holding the lead in a campaign, of over-advertising a candidate, of tact and skill used so as not to alienate the independent voter, of contriving the comings and goings of the national candidate so as not to injure the local candidate, and many other rules of the game are explained, always entertainingly so that one is glad to read the following: "Some day soon I am going to set forth the elements of strategy in national political campaigns explaining exactly how a psychological magician must always work to gain any earned success, and showing by definite examples how the rabbit was extracted from the hat. I do not mean that the rabbit must necessarily be a bad rabbit. Hughes had a good rabbit, for instance, but in running for the presidency he dropped all his paraphernalia, stepped on the hat, killed the rabbit, and let his stage hands drop the curtain just as he was about to do the extraction. He would never make the same mistakes again because he would have sense enough to obtain the help of those who know the game."

There are also interesting chapters on "Wives of Politicians," "Why Men Crack," and "Intelligence and Education."

One is moved to ask after reading this book why we have waited over a hundred years for a good description of the play of less obvious forces here recorded. Politics is a game which by the very theory of our government all should take an intelligent interest in. We know that the sense of ignorance, mystification and futility is at the root of the average citizen's indifference. Lacking the knowledge necessary to take part in planting the grain and cultivating the political field, quite consistently and in large numbers the non-voter has neglected to aid in harvesting the other fellow's crop on election day—for that is all voting amounts to.

If several hundred thousand books like this were carefully studied by as many American readers, who will dare measure the effect in arousing an intelligent interest in politics?

Richard Welling.

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Our Governmental Machine. By Schuyler C. Wallace, with a prefatory note by Charles A. Beard. New York: Alfred A. Knopf, 1924. Pp. xiv, 223.

Mr. Wallace of Columbia University presents in this small volume a cross-section study of government. By this method of treatment the chief problems of national, state and local governments are presented in an interesting and concise manner. Government is discussed from four main points of view, namely, popular control, the legal frame of government, law making, and the executive and administrative. The material for the book has been drawn from many sources and much enlivened by the author's vivid imagination. In the course of preparation, much of it was presented in the form of popular lectures to the radio audience through station WEAF of New York.

Viewing the book with a critical eye, one might say that the author appears somewhat too dogmatic here and there in the discussion. Then again, he dismisses some of the more or less perplexing problems of government by merely asking a series of questions. Perhaps this is the fault of youth—not always convincing, but nevertheless stimulating.

A. E. Buck.

BRIEF REVIEW OF CURRENT PAMPHLETS

A Recent Issue of Minnesota Municipalities contains a useful table setting forth the statutory limitations of property taxation in Minnesota. The material is organized under the heads of state taxation, county taxation, city and village taxation, township taxation, and school district taxation. The complexity of the subject is illustrated by the fact that the outline covers eleven printed pages.

◆

Report of the Financial Condition and Practices of the City of Rochester, N. Y.—This is a report submitted to the city officials by the Rochester Bureau of Municipal Research. Part I contains a clear description of the present financial procedure of the city. It is followed by a history of the city's financial transactions for the past thirteen years. Part III describes the financial condition of the city at the present time. The budget increased 242 per cent in the twelve years following 1910; since 1918 it has increased at the rate of more than a million dollars a year. Since 1920 borrowing for current expenses has constituted one of the main sources of the budget. This has been made necessary by the constitutional tax limit of two per cent (educational costs included) which is now insufficient to permit the city to meet its ordinary operating expenses. However, debt charges are exempted from the tax limit, so that borrowing for current expenses for one year and taking care of such temporary indebtedness in the debt service item of the next year's budget has been found to be an effective method of circumventing the tax limit. The report believes that this method will have to be resorted to indefinitely if constitutional relief is not forthcoming. As a means to this end the Bureau urges the passage of a constitutional amendment exempting school costs from the category of "city purposes" as far as tax revenues are concerned. Part IV concludes the report and contains detailed recommendations to bring the financial policy of the city abreast the best of the time.

◆

"Parks and Playgrounds" is the title of an article by Professor Henry Hubbard which was originally presented at the International Town Planning Conference at Amsterdam and is now reprinted in pamphlet form. It is particularly interesting because of its discussion of a city's requirements in the matter of recreation and of the distribution of recreation areas throughout the city. Mr. Hubbard is opposed to the construction of motor highways through the large parks. Most of the people seeking recreation in them are pedestrians. They should, therefore, be conveniently situated with respect to street railway or motor bus transportation which will carry people to the parks. Motor roads through them interfere with their primary function and are of little value to the autoist whose destination is never the park proper. On the other hand, community buildings should not be located near a large park, principally because the school and playground are at their maximum efficiency when the whole area within their effective radius is residential.

An interesting map giving a theoretical distribution of playground facilities in an American city is included.

◆

Proceedings of Citizens' Research Institute of Canada.—On September 10 to 12, 1924, the Citizens' Research Institute of Canada held their second annual tax conference in connection with a Canadian Civil Service Research Conference. The proceedings of both have been published in a booklet which may be obtained from the offices of the Institute, 189 Church Street, Toronto. The discussion of taxation includes papers on business taxation, income taxes, automobile taxes and the general property tax on capital values. A paper of interest to many Americans is the one upon the municipal income tax in Ontario.

The papers on civil service include one on the merit system and responsible government. The author, Colonel N. G. LaRochelle, finds that there is no inconsistency between the two and that objections to the merit system usually spring from antagonism to any qualifying examinations whatever.

◆

Financing of Public School Education in Colorado.—This is a report by Dr. Don C. Sowers and is published as a pamphlet in the studies of the University of Colorado. The report discovers that although the total disbursements for public school purposes in the state have increased 184 per cent in the decade following 1912, Colorado has been steadily losing ground in educational achievements. This means that more money must be spent upon the schools and the method suggested is to increase the contributions from the state government. This involves a change from the crudely devised general property tax, to which Colorado still clings. The newer devices which could possibly be employed include a state income tax, a classified property tax, a business corporation tax and severance taxes.

◆

Philadelphia's Government.—The Bureau of Municipal Research of Philadelphia has recently published a condensed description of the city government with an organization chart. The information is concise and well arranged without critical treatment. It will be indispensable to anyone desiring to inform himself on Philadelphia's government under her new charter.

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Nebraska's Voters' Handbook.—The Nebraska Legislative Reference Bureau has compiled a Voters' Handbook designed to acquaint the citizen with the system of national, state and local government under which he lives. For the most part it is concerned with a description of the various departments and officers with outlines of their duties. Under city government some attention is paid to home rule and the various forms of organization which are possible in Nebraska. The sections devoted to elections and electoral procedure, including the statutory regulations of political parties, will be found particularly useful to citizens of the state. A similar handbook for each state is much to be desired.

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The Massachusetts Federation of Planning Boards has recently published two pamphlets bearing upon the law of city planning. The first is entitled "The Legal Regulation of Billboards" and the second discusses the next steps in protecting the city plan. The latter points out the danger to the city plan arising from large scale real estate developments undertaken without regard to it. The legal difficulty has been to enforce the plan made in advance of street construction, and for this purpose the author suggests the use of eminent domain by which land to be used for streets may be condemned years in advance. The constitutional rights of the owners will be thoroughly protected by a clause providing that anyone suffering damages may recover them from the state or the municipality. The fact that a properly worked out city plan is the best thing that can be done for the land owners will, except in a very few instances, result in few owners attempting to invoke the statute. The experience under the Massachusetts law establishing building lines by eminent domain is taken as evidence that few owners would seek to recover damages for the imposition of the easement proposed above.

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Calendar of Minnesota Government of 1925.—Miss Esther Crandall of the Bureau for Research in Government of the University of Minnesota has compiled a political calendar which sets forth for each day of the year the manifold activities of the government. By referring to it, an earnest citizen of Minnesota will know just what takes place on any day. Historical dates of interest to Minnesota are included. For example, he will know that on Monday, July 13, 1925, the state board of pardons will meet and that the county boards will levy county taxes (except in counties of 150,000). He will also learn that on this day the state constitutional convention of 1857 began its deliberations.

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Municipal Accounting.—E. T. MacDonald, chief of the division of accounting of the Pennsylvania Bureau of Municipalities, has prepared a pamphlet of 60 pages which is published by the Bennett Accountancy Institute of Philadelphia and which explains in brief form the purpose and principles of municipal accounting. The various terms are intelligently defined and illustrative forms set forth.

GOVERNMENTAL RESEARCH CONFERENCE NOTES

EDITED BY ARCH MANDEL

Civic Activity in Newark, N. J.—Early in 1924, the Committee on Municipal Affairs of the Newark, N. J., Chamber of Commerce, launched upon a careful study of forms of municipal government, to forestall precipitate action in changing or revising the present form of government in Newark. Dissatisfaction was being expressed with the commission government now in operation and an organized group of citizens urged returning to the aldermanic form.

After a number of months of study, in which the Bureau of Research of the chamber participated, the Municipal Affairs Committee presented a report recommending the council-manager plan as the best form of government for Newark, and giving the reasons for its conclusion. In this report are also included the advantages and disadvantages of the three forms of government: the strong mayor-council, the commission, and the manager plan.

Printed copies of the report were circulated among all the members of the chamber, with a view to holding a referendum upon the recommendations. The report is a well prepared, concise statement and shows the result of careful study. The Committee on Municipal Affairs believes, however, that the council-manager plan should not be put up to the voters until a campaign of education has prepared them to consider adoption of this plan.

⁂

A Promising Reorganization of its committees on governmental research activities was put into operation by the Newark, N. J., Chamber of Commerce. This reorganization has as one of its main objects the active participation in the city and county budgets through analysis and study of these documents.

This change involved the reorganization of the present committees on municipal, educational, and county affairs, into a group of seventy-two, divided into six committees of twelve members each, as follows: Committee on Municipal Government, Public Finance, Public Works, Public Welfare, Education and County Government. Each of these six committees will exercise an oversight of the administrative functions and legislative action of the particular group of activities with which it is concerned. The chairman and the vice-chairman of each committee will make up a budget committee of twelve, which will correlate budget study of each committee and formulate the final reports on the budgets. In their analysis and study, the committees will be aided by the Chamber's Research Bureau. In addition to the budget study, eighteen specific assignments are listed on the program of these committees.

⁂

The Ohio Institute has just completed a report for the Ohio State Teachers' Association on problems of school finance in Ohio. The report deals with organization of school districts, administration of state aid for schools, relation of school finances to tax limits, etc.

⁂

A Report on Special Classes for mentally deficient children in the public schools of Ohio has just been issued by the Ohio Institute. The report discusses standards of admission, tests applied, methods of work, organization of follow-up system, etc. Approximately forty school systems in Ohio maintain such classes containing about five thousand children. There is as yet no state subsidy for such classes.

⁂

Winthrop D. Lane is making a special study of certain penal and correctional institutions in different parts of the country in order to prepare for the Ohio Institute recommendations for Ohio institutions.

⁂

Rochester, N. Y., organized a citizens' committee for the study of forms of municipal government, with a view to recommending the form most practicable for the city. To aid the committee in this study, S. B. Story, director, and Earl Weller, chief engineer of the Rochester Bureau, will make a tour of twenty-five cities in the country to study and report upon the different forms of city government in operation.

The Rochester Bureau has been asked to co-operate with the Mayor's Advisory Committee on Subway Operation, of which S. B. Story has been made secretary, in its study of the problem of ways and means of organizing and utilizing a subway and terminal railway, which the city of Rochester has now under construction in the bed of the old Erie Canal.. It is a municipal project, with railway facilities providing passenger and freight tracks for a length of about eight miles through the center of the city, provision for inter-railroad switching facilities, interurban passenger car and local passenger rapid transit facilities.

✣

Co-operating with the Civic Council of Duluth, a body composed of representatives from every civic organization in town, the Taxpayers' League is preparing a program of municipal improvements to be carried out in the next ten years. The work of this group is based on a bulletin prepared by the League outlining municipal improvements that represent an outlay of $40,000,000.

✣

The Dayton Research Association prepared a school building program that was adopted by the Dayton Board of Education and was used as the basis for a four million dollar bond issue, placed before the voters on November 4 last. The bond issue carried.

✣

John S. Rae, one-time staff member of the Akron Bureau of Municipal Research and assistant to L. D. Upson in the Cincinnati survey, has been added to the staff of the Detroit Bureau of Governmental Research. L. G. Whitney and H. D. Smith, both students in the course in municipal administration at the University of Michigan, joined the training staff of the Detroit Bureau.

✣

The Philadelphia Bureau reports that its outstanding accomplishments during the last year have been the completion and publication in pamphlet form of its report of Municipal Street Cleaning in Philadelphia and of its study entitled, "Philadelphia's Government," a descriptive statement and chart showing the interrelationship of the five hundred or more local units of government. Among other activities are listed: the preparation of a card index of Philadelphia ordinances, running back to the year 1789, which has been completed; the continuation of its studies of the city's borrowing power, debt policies and related matters, upon which a report is being prepared. A report on employment conditions in the city government is also under way. In co-operation with the mayor, the Bureau is studying the gas problem, the present lease of the city's gas works expiring in 1927.

It may be of interest to know that the Philadelphia Bureau maintains a library of 12,000 books, pamphlets and periodicals on civic subjects, which is used by the public in its quest for information on these subjects.

✣

San Francisco reports that the secretary of its Bureau was loaned to a group in Bakersfield for a week to advise in the organization of a municipal research bureau in that city.

✣

The Citizens' Federal Research Bureau, Washington, D. C., organized in February, 1924, for the immediate purpose of aiding in fixing the responsibility for corruption in the federal government disclosed about that time, has been organized upon a permanent basis as a "civic organization to investigate and improve administrative efficiency." Wallace M. Leonard, the executive secretary, will direct the administrative work, while the legal staff of the Bureau is under the direction of Hon. J. Weston Allen as general counsel, formerly attorney-general of Massachusetts.

The plan of permanent organization includes an executive council, which will have "responsible direction of the Bureau and an advisory board of men and women, chosen from the country at large, for the interest and leadership in promoting zeal, efficiency and probity in the public service." The Bureau is now seeking to raise an annual budget of not less than $50,000 for the first three years.

The prospectus of the Bureau reports its activities to date, among which has been the submission to the executive and administrative heads information bearing upon the conduct of their departments; aid to congressional committees; obtaining evidence of grave offense in the enforcement of federal prohibition laws and examining into qualifications of those "being urged through political channels for appointment to the federal bench." It hopes to become the clearing house for information obtained by the civic organizations throughout the country, operating in the field of state administration and brought in contact with conditions which involve the federal service.

ITEMS ON MUNICIPAL ENGINEERING

EDITED BY WILLIAM A. BASSETT

Novel Method of Treating Garbage Proposed for St. Louis, Mo.—Passing garbage through a roller mill before final disposition by incineration is a novel feature of a disposal plan under consideration by the city government of St. Louis, Mo. According to Major Clinton H. Fisk, director, department of streets and sewers of St. Louis, the plan contemplates the establishment of a roller mill equipped with two sets of rolls adjacent to the present incinerator. The mill would be fed by a belt conveyor which would convey the garbage from the receiving floor to the first set of rolls which would macerate it and remove about one-half of the water content. The finely divided garbage would then be passed through a second set of smooth rolls that would remove most of the remaining water and leave a practically dry residue which would be carried on a second belt conveyor to the incinerator. A system of ventilation is to be provided that would pass all odors resulting from the garbage to the combustion chamber of the incinerator. Under the proposed arrangement the contractor is to provide the roller plant at an estimated cost of $350,000, the plant to revert to the city without cost at the end of ten years, and the city is to pay for the disposal of garbage on a sliding scale, starting the first year at $1.75 per ton followed by a 7½ per cent reduction during each subsequent year.

The claim is made that this method of treatment will enable burning from four to 500 tons per day of garbage in the present incinerator which has a rated capacity of 100 tons. If this can be accomplished, it will obviate the construction of three additional incinerators as was originally planned.

Although it is probable that the sweeping claims for this method of treatment are in excess of what can be realized, there is much merit in the plan as outlined. Considerable attention is being given at present to the matter of reducing the water content of garbage in advance of its final disposition. There are sound grounds for this attention. The removal of water from garbage will decrease materially the cost of incineration. It is also claimed that such treatment will enable more economical operation of reduction plants. The St. Louis proposal should prove a most interesting innovation in garbage disposal method, and one that may constitute a valuable contribution to experience in that field of work.

◆

Motor Vehicle Accident Insurance and Prevention of Accidents.—Recommended procedure to be followed by companies providing motor vehicle accident insurance as an aid to accident prevention is outlined in a report of the Committee on Insurance to be presented at the National Conference on Street and Highway Safety which has been called by Secretary Hoover to meet in Washington during December. The committee recommends that insurance companies be urged:

(a) To keep a detailed and clearly organized record of their experience of street and highway accidents according to causes, location and other controlling factors, and to exert their influence, through co-operative effort, to bring about the preparation of a uniform standard form for the recording of essential particulars relating to accidents and their prevention on our streets and highways;

(b) To co-operate through their various associations and affiliations in the compilation and distribution, with other agencies, of a uniform manual for the use of automobile drivers, designed to educate the operators of motor vehicles in safe driving practices, and divided into two sections, the one comprising special instructions to drivers of commercial automobiles, and the other special instructions to drivers of private passenger automobiles;

(c) To co-operate with and impress upon those insuring fleets of commercial automobiles the desirability of conducting regular and periodical courses of instruction for their fleet drivers;

(d) To adopt the practice, in so far as practicable, of making periodical inspections as to the condition of automobiles insured by them, with particular attention to such matters as brake adjustment, steering control, clutch mechanism and lighting equipment;

(e) To take steps through the national insurance associations in which they hold membership, or otherwise, to bring about a co-ordination of the public accident prevention work now being done by them, and to consider the accomplishment of this object through the organization of a coalition committee composed of engineering and safety experts, representing the various types and groups of insurance carriers.

As a further means of deterring careless and reckless driving, the committee is of the opinion that the most practical method of accomplishing this is by the enactment and enforcement of laws that will provide:

First: That when any motor vehicle is operated in violation of the provisions of the general motor vehicle law, or negligently or carelessly, and any person is thereby injured in person or property, the operator's or owner's license of the driver or owner thereof shall be immediately in any event suspended, and in the proper instances, revoked.

Second: That when any motor vehicle is operated in violation of the provisions of the general motor vehicle law, or negligently or carelessly, and any person is thereby injured in person or property, such motor vehicle shall be impounded.

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Unusual Service Rendered by United States Office of Public Roads.—Facts disclosed in the report of the Bureau of Public Roads of the United States Department of Agriculture for the fiscal year ended June 30, 1924, indicate a scope and character of work conducted by that bureau of unusual value and public interest. In addition to the matter of exercising control over the expenditure of federal aid granted states for the improvement of highways which constitutes one of its important functions, the bureau conducts scientific investigations both in the field of highway administration and rural engineering, frequently in co-operation with professional organizations and technical schools. The latter have included research into such matters as the effect of impact on the load carrying capacity of concrete road slabs, determination of stresses affecting the design of skew arch bridges, tests of bituminous and non-bituminous road materials together with a variety of investigations dealing with drainage and irrigation. Particularly in the field of highway administration have the efforts of this bureau been productive of valuable accomplishment. In respect of this matter the comment made by Thomas H. MacDonald, chief of bureau of public roads is of unusual interest. Mr. MacDonald states in part:

"To indicate the practical character of the results of the investigations it may be appropriate to refer to a number of phases of the road problems, the treatment of which rested formerly largely upon individual opinion or belief, which are now dealt with in a scientific manner. In the first place, it is no longer necessary that there shall be any doubt as to the necessity or economy of any particular road improvement. Methods have been devised by which it can be determined with scientific accuracy whether or not the improvement of a road is desirable and the form which the proposed improvement should take. The studies of subgrade soils are showing what practical steps may be taken to secure a satisfactory foundation for the roads and what provision must be made in the design of the surface to overcome the handicap of unstable subgrades. It is now possible to design with practical certainty types of road surface which will satisfactorily serve traffic of several classes of density and weight and to adopt the type of surface to the traffic with considerable precision. Methods of maintenance are gradually crystallizing which insure the conservation of the investments made; and principles of finance have been evolved, based upon the economic and physical investigations, which seem to assure wise expenditure of the public money and a fair distribution of the expense to the several classes benefited."

*

Interesting Decision Regarding Protection of Streams from Sewage Pollution.—A recent decision by the appellate court of California in respect of the responsibility of a community operating under a permit from the state board of health, authorizing discharge of sewage into a stream, is of general interest to municipalities throughout the country. According to the *Engineering News-Record* of August 14:

"The original action was brought in the superior court of California by the district attorney of Kings County, to prevent the city of Reedley from discharging sewage effluent into Kings

River on the grounds that the waters were being polluted and made unfit for use and constituted a menace to the public health. The defendant set forth that a permit issued by the state board of health authorizing this means of disposal was in full force and unrevoked and, in addition, that the effluent prior to its discharge had been treated and rendered harmless and uninjurious to the public health. Judgment was rendered that the city was not creating or continuing a nuisance. An appeal was taken to the appellate court based on the contention that the permit issued by the state board of health to the city of Reedley constituted no defense and that the testimony submitted was insufficient to support the findings of the court.

"Permit Not a Defense—The appellate court upheld the first contention and ruled that 'a permit issued by the state board of health . . . authorizing a city to discharge sewage effluent into a river, and unrevoked at the time of the trial of an action to abate as a public nuisance the discharge of such sewage and other deleterious substances into said river, does not authorize a city to create or continue a nuisance, or in any wise limit the power of the court to abate the same, in the event it finds that a nuisance exists or is being created and continued under the claimed authority of such permit.

"However, the appellate court further declared that the findings of the superior court were based, not on the fact that such a permit was in existence but on conclusions formed from the testimony, which showed that the effluent was rendered harmless before being discharged and that the city of Reedley was not maintaining a nuisance. The court further ruled that, there being sufficient testimony to sustain the findings of the trial court, the latter's ruling in the matter of the defense offered in regard to the certificate issued by the state board of health was wholly immaterial 'because, if the city at the time of the trial was not maintaining a nuisance, whether the proceedings leading up to the issuance of the permit were regular or irregular, valid or void, would in no wise affect the judgment which the court should enter when it found that no present nuisance existed.'

"A petition was filed in the supreme court for a hearing in that court, but it was denied, and the decision of the appellate court stands as final."

◆

Special Assessment Provisions of Kansas City's Proposed Charter of Doubtful Wisdom.—Provisions governing the financing of public improvements by special assessments, appearing in the proposed amendment of the charter of Kansas City, Missouri, include features which are not in accord with sound financial practice. The text of the amendment is not available, but according to the Kansas City Public Service Institute, which organization assisted the 1922 charter commission of that city in drafting this article, the essential features of the latter are as follows. Under the proposed arrangement the contractor authorized to proceed with any public improvement would be paid in cash in installments as the work progresses. This is obviously consistent with the best practice and a vast improvement over the existing one. At present the contractor for any assessable public improvement does not receive cash from the city for work done but is paid in special tax bills which constitute liens against the various pieces of property included within the assessment district. The contractor alone is responsible for collecting assessments from the property owners concerned. This practice tends to discourage reputable contractors from competing for public improvement work and in practically all cases increases materially the cost of work done. It should not be tolerated. The serious weakness in the proposed arrangement lies in the fact that local assessments for benefit are to be levied in advance of commencing work, property owners being given the opportunity of paying assessments in cash or by installments, the number of the latter depending on the character of the improvement.

Against the assessments to be paid in installments, the city would sell local improvement certificates due in equal amounts each year over a period of years. The city would be responsible for the collection of the assessments, and the payment of the interest and principal of the local improvement certificates when due. The charter provides that in case of any deficiency, due to uncollectible assessments, the council shall appropriate sufficient funds to make up the deficiency, subject to the qualification that such appropriation may not exceed 5 per cent of the city's revenues. The city is protected by making property subject to sale for delinquent special assessments the same as for delinquent general land taxes.

Aside from certain practical objections to the contemplated arrangement, there is a distinct inequity in levying assessments for benefit in advance of the consummation of a public improvement. It would appear that the logical thing for the city government of Kansas City to do in the matter under consideration would be to amend the charter so as to effect a discontinuance of existing practice in respect to conducting assessable public improvement work and provide means for the city to proceed with such work on a rational basis. It is maintained that the precise method to be followed in the administration of public improvement work should not be stipulated in a city charter but provisions in that instrument should be of a general character while the definitizing of procedure to be followed should be provided by supplementary legislation. If the city government of Kansas City will provide for the levying of special assessments after the completion of the public improvements to which these relate, it will avoid difficulties which the experience of other cities demonstrates almost always results under such an arrangement as is proposed.

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Methods of Relieving Street Congestion.—Fundamental considerations to be met in solving the problem of street congestion in any community and the principles that should govern the approach of this problem are outlined by Mr. Harland Bartholomew, city plan engineer of St. Louis. In the *Engineering News-Record* Mr. Bartholomew places particular emphasis on the economic importance of the problem. He states that the delays to traffic in the central business district of Chicago, due to parking alone, causes an economic loss estimated at $60,000,000 a year. It is safe to say that comparable conditions exist in practically all of our large cities and many of our smaller communities today. This financial burden which constitutes what amounts to a super-tax on the public if permitted to continue for any length of time is bound to have serious results. The essential requirements of any plan to relieve this situation as presented by Mr. Bartholomew are epitomized as follows:

HOW TO RELIEVE TRAFFIC CONGESTION

1. It is impossible to provide sufficient street space for all automobiles.
2. The provision of parking space in city streets is not a public obligation.
3. The parked vehicle must give way to the moving vehicle.
4. Curbs should be so adjusted as to permit maximum use of roadway space based upon lines of traffic.
5. Every city should have a comprehensive city plan.
6. The volume of traffic should be reduced by excluding passenger automobiles from certain streets or from all streets in areas where congestion is most acute.
7. Building heights should be rigidly restricted.
8. Street widening, subway construction, arcading or elevated sidewalks do not in themselves constitute a solution of street congestion and should be undertaken only where economically justified.
9. The city plan should include a major street plan providing for ample traffic circulation between all parts of the community, with streets of sufficient number and width to constitute balancing of traffic movement and prevention of over-concentration at any one or more points.
10. Separation of commercial traffic from that of the pleasure automobile type is desirable and should be secured where possible.
11. No streets should provide for more than eight lines of traffic. (This does not imply that streets eventually intended to accommodate rapid transit lines should not be given sufficient widths and where possible these should be 100 ft. for subways and not less than 200 ft. for elevated lines.)
12. Safety isles should be provided at crossings for all six-line or wider line roadways.
13. Bypass streets should be provided on all sides of the business district.
14. All approach streets to business districts should be carried through the district.

It is also of interest to note the following comment of Mr. Bartholomew on enforced decentralization of business in our centers of population that will ultimately be necessary as a relief measure and his recommendation on centralized traffic control:

"It is believed that the suggestions above offered constitute a solution of the street congestion problem for a considerable number of years and do not involve economic waste. Beyond that point there is but one conclusion that can be reached, either our congested, over-centralized cities will eventually become victims of economic strangulation, or business must be decentralized. This may come about in several ways. There may be an ever-increasing number of business centers developed in various parts of the city's area constituting a city of metropolitan organization composed of innumerable small communities each with its own center, or the huge central business district must be flattened out by rigid height restriction and spread over an increasingly greater area.

"Unsatisfactory handling of traffic problems today is due to the lack of a centralized authority having complete responsibility in the matter of street congestion. The whole problem has virtually been thrown upon the police department as the agency best suited to cope with the situation. It would seem that for the establishment and enforcement of permanent policies there should be created a separate department or commission or agency which should at least be charged with the duty of studying the problem and which should probably also be charged with full responsibility in handling traffic."

NOTES AND EVENTS

Municipal Gas Stations Authorized.—The people of Lincoln, Nebraska, by a vote of 10,000 to 8,000 approved an amendment to the charter authorizing the city commission to establish municipal gasoline stations.

❈

California Water and Power Act Defeated for Second Time.—The project to develop California's water and power resources as a state enterprise was defeated a second time at the November election in practically the same form as was voted upon two years ago. Various organizations, including the California League of Municipalities, which backed it then, did not support it in November.

The measure was put on the ballot by initiative petition. The man who contributed most of the money to secure the signers was Rudolph Spreckels, who was also La Follette's campaign manager. It therefore became involved with the latters' campaign platform for public ownership and was viewed with more than ordinary alarm.

The people of California undoubtedly are opposed at present to the state's entering the hydroelectric power business.

❈

The World's Champion Long-distance Acting Mayor.—John C. Lodge of Detroit is said to be the champion long-distance acting mayor of all time. Detroit's charter provides that in the temporary absence or incapacity of the mayor, the president of the nine-man council shall serve as acting mayor, with full responsibility.

During the six years in which the new charter has been in effect, the mayors of the city have been absent or incapacitated by ill-health so frequently that Mr. Lodge has served an aggregate of three years out of the six. To him has fallen the heavy responsibility each year of supervising the making of the city budget. He has served in the dual capacity as president of the council and acting mayor, greatly to the advantage and benefit of the taxpayers. Recently he returned to council service, after turning over the mayor's office again to John W. Smith, the successor of Mayor Frank E. Doremus. Altogether, Mr. Lodge, though a business man of independent means, has served Detroit and Wayne county about thirty years in various positions of public trust. He is said to be the best informed and most useful official in the motor city.

W. P. L.

❈

First Speed Law Passed in 1757.—With auto racing drivers and globe circling airplanes continually hanging up new speed records, it is interesting to note that the battle against high speed on the highways started in the United States nearly two centuries ago.

Our sturdy forefathers objected to dodging vehicles way back in 1757, when the city fathers of Boston passed the first speed law. The board of selectmen of the Massachusetts capital had narrow streets to contend with, in addition to citizens inclined to drive their horses at an unseemly gait. To stop all this mischief and to penalize the speeders, the city authorities in 1757 passed this ordinance:

"Owing to great danger arising oftentimes from coaches, sleighs, chairs and other carriages, on the Lord's Day, as people are going to or coming from the several churches in this town, being driven with great rapidity, and the public worship being oftentimes much disturbed by such carriages, it is therefore voted and ordered that no coach, sleigh, chair, chaise or carriage shall at such times be driven at a greater rate than a foot pace, on penalty to the master of the slave or servant so driving of the sum of ten shillings."—*Seattle Police Journal.*

❈

New York to Spend $15,000,000 for State Parks.—The proposed state park bond issue of $15,000,000 for the extension and development of a unified state park system in New York was approved by the voters at the November election by a majority of nearly a million. This was the largest majority ever given in the state to any proposition submitted to the voters, and exceeded that last year for the state hospital bond issue, although both were supported by all parties and by many elements of the population. The state park bond issue was indorsed by both the Republican and Democratic parties, and by scores of civic, philanthropic, religious, recreational and conservational groups, and by eminent public men.

The only opposition to the proposition came from the upstate farm counties, where such bond issues are usually opposed, the farmer, having plenty of woods and fields about him anyway, figures that such proposals will increase his taxes. He does not figure that the cities pay three-quarters of the state tax. This attitude is shown by a recapitulation of the vote, according to three districts, the metropolitan, including Greater New York, Long Island, and the lower Hudson counties; northern New York; and central and western New York:

Area	*Yes*	*No*
Metropolitan	1,136,651	192,912
Northern	197,835	186,840
Central Western	195,065	160,063
Totals	1,529,551	539,815

The majority in Greater New York was 879,000, two and a half times that for the last previous state park bond issue in 1916, which carried in that year against an adverse upstate majority of 120,000. Upstate opposition was converted this year into a favorable majority of about 46,000, showing that appreciation of the state wide park system now being developed is converting large numbers of upstate voters.

Raymond H. Torrey.

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Central Administrative Supervision in English Cities.—There are signs of an increasing dissatisfaction with the headless administrative organization of English municipalities, and a recent writer in *Local Government News*, published by the Fabian Society, recommends that the municipal councils set up co-ordination committees to deal with general questions which effect more than one of the existing committees. As our readers know, English local government administration is carried on under the supervision of committees of the council, who work through a technically trained civil service. The council as a whole is supposed to act as a co-ordinating agency, but this large body is unadapted to administrative work and the belief is gaining ground that the cities are suffering from lack of harmony in the parts.

It is true that the finance committee exercises a general supervision over the expenditures of the committees authorized by the council. But their watchfulness extends merely to making sure that the expenditures have been properly incurred for purposes sanctioned by the council. The proposed co-ordination committee would go further in an effort to harmonize the particular points of view of the regular committees. More particularly the committee on co-ordination would be charged with the consideration of personnel management involving questions such as maximum utilization of staff services, salaries and conditions of employment. It would iron out differences of policy between two or more committees, as for example, a difference between a health and a housing committee over the layout of a new district. It would make possible a system of centralized purchasing as a substitute for the present wasteful practice of departmental buying.

America's answer to the problem of co-ordination is the city manager and the strong mayor plans of government. To an Englishman, who has with little protest witnessed increasing concentration of executive authority in the prime minister, these plans appear as forms of autocracy. Yet the co-ordinating committee will not amount to much as an administrative agent unless it is provided with a competent full-time executive and this executive will be almost a city manager.

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Kansas City, Mo., to Vote on Up-to-Date Charter.—The Kansas City charter commission has reported a draft of a proposed charter for the city. In accordance with instructions by the voters, the charter provides for the city manager form of government and will be voted on next month. The document is the product of long study, considerable assistance being rendered by the Kansas City Public Service Institute.

A council of nine is provided which includes a mayor elected at large without veto power. Four other members of the council are also elected at large and the remaining four from districts, one each from the four districts specially created. Their term is four years. The salary of the mayor is to be $5,000 per annum and the councilmen are to receive $1,200 per annum. Nominations and elections are placed on a non-partisan basis.

The city manager is chosen in the orthodox manner and is given full power to select the heads of departments and divisions. Police control remains, however, in the state, inasmuch as it is impossible to change the statute law on this subject by mere charter amendment.

The charter contains some novel features. One is the abolition of the old multi-member civil service commission in favor of a personnel director appointed by the city manager. This director is required to classify and standardize all positions in the classified service, and to provide competitive examinations for positions in the competitive class. For positions in the non-competitive class he is to provide non-competitive examinations. Included in this class are only those positions which require special technical, managerial or educational experience. He is to furnish eligible lists to the appointing power who is free to select any person on the list. Removals can be made by the appointing officer, the person so removed being entitled to a written statement of the reasons. The personnel director is also to keep service records and promotion lists, and in general to look after the efficiency of the civil service.

The proposed Kansas City charter will well repay the study of anyone concerned in municipal government.

◆

San Francisco Annexation Proposal.—A movement has been initiated by the Three Cities Chamber of Commerce of San Mateo county—which organization functions in the cities of San Mateo, Burlingame, and Hillsborough—to bring about the annexation of a portion of San Mateo county to the existing city and county of San Francisco. Under state law annexation may jump county lines if the territory proposed to be annexed was formerly part of the county to which it is proposed to be annexed. San Francisco county formerly took in a large part of the territory that is now included in San Mateo county. When the city and county of San Francisco were consolidated in 1859 a large portion of the county was dropped and the San Francisco county lines were made coterminous with the then existing city boundaries.

The present movement had its inception about a year and a half ago when the Three Cities Chamber of Commerce invited the San Francisco Chamber of Commerce to participate in an annexation movement. It was felt that such a movement must originate in San Mateo county if opposition was to be avoided that might be based on the thought that San Francisco as the larger community was endeavoring to "gobble up" the smaller residential communities that are located near San Francisco. Recently a mass meeting was called at which representatives of all civic and governmental units in both counties were brought together. Out of this, a temporary organization was formed which will soon begin to function.

No definite lines have as yet been established as to communities or area in San Mateo county that will be included in or excluded from the annexation proposal. Informal discussions have centered around the annexation of the northerly portion of San Mateo county. The urge for annexation comes largely from the inability of the San Mateo county communities to finance projects which they consider necessary for their logical development and growth, such as port facilities, water supply, interurban transportation, etc. San Francisco with an assessed valuation of $684,000,000, which is about twenty times as great as that of all San Mateo county, is considered by the communities in that county as having the wealth and potential resources necessary for the financing of such projects.

William H. Nanry.

◆

Connecticut Adopts Item-Veto Amendment.—By proclamation made by the governor November 26, a thirty-seventh amendment was added to the constitution of Connecticut, granting to the governor power to veto single items in appropriation bills. Although this amendment was first submitted to the voters in October, 1923, it could not be proclaimed as a part of the constitution for more than a year later owing to the peculiar method required for ratification of amendments. This amendment was proposed by the House of Representatives at the session of 1921 and adopted by a two-thirds vote of both houses in 1923. In accordance with the constitution it was then submitted to the voters of the state in town meetings held on and after the first Monday in October, 1923. During the past year, the 169 towns of the state have voted on the proposed amendment at various times but the vote was not completed until November, 1924. The vote was a very light one, 46,858 electors voting for the amendment, and 10,601 against it, in all 14.1 per cent of the total vote cast at the general election of November 4, 1924.

The text of the amendment follows: "The governor shall have power to disapprove of any item or items of any bill making appropriations of money embracing distinct items while at the same time approving the remainder of the bill, and the part or parts of the bill so approved shall become effective and the item or items of appropriation so disapproved shall not take effect unless the same are separately reconsidered and repassed in accordance with the rules and limitations prescribed for the passage of bills over the executive veto. In all cases in which the governor shall exercise the right of disapproval hereby conferred he shall append to the bill at the time of signing it a statement of the item or items disapproved together with his reasons for such disapproval and transmit the bill and such appended statement to the secretary. If the general assembly be then in session he shall forthwith cause a copy of such statement to be delivered to the house in which the bill originated for reconsideration of the disapproved items in conformity with the rules prescribed for legislative action in respect to bills which have received executive disapproval."

Bills may be passed over the governor's veto in Connecticut by a simple majority of both houses of the general assembly.

Lane W. Lancaster.

Wesleyan University.

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Detroit Investigates Suspected Graft.—During the years following the war the city of Detroit has invested nearly $130,000,000 in permanent improvements. In spite of the high character of the administration under James Couzens, it was only natural that there should be rumors of favoritism and possibly graft in the expenditure of such large sums of money. Street talk involved contractors' rings and sometimes outright corruption. In the recent mayorality campaign, in which a former commissioner of public works figured, there was considerable newspaper publicity dealing at least with mal-administration.

About the middle of November these indirect charges culminated in information coming to the controller's office that 5,000 cubic yards of cinders sold to the city had not been delivered, although payment had been received by the contractor. A hurried investigation indicated that this charge was correct and furthermore that there had been no relation between payments for cinders and the actual quantities delivered. All contracts for delivery were cancelled, a refund of $7,500 was made, and the superintendent of street cleaning was suspended. Then followed a flood of anonymous letters, directing attention to alleged corruption in this division and involving the payment of money to keep trucks on the pay roll, the stealing of city owned material, etc. To this was added word of mouth allegations of corruption in the department of public works, board of education, and the water department.

The newly elected mayor, John W. Smith, immediately requested the prosecutor to ask for a one man grand jury to investigate all charges of corruption and further asked the prosecutor to permit the city to be represented by Mr. Leo M. Butzel, an outstanding attorney. The Bureau of the Budget with its newly organized staff was turned loose on investigating all allegations of every character, and the Bureau of Governmental Research was invited to loan its staff to the city.

Dr. Lent D. Upson, director of the bureau, was invited to join with Mr. Butzel, as representing the citizens in the inquiry, thus giving the public the assurance that both the legal and the investigatory phases of the matter were being observed by persons outside of the city and county government.

So far, two reports have been made by the inquiry staff to the prosecuting attorney's office and others are in preparation. Certainly an amount of petty pilfering has been fairly well established. How far the inquiry will reveal graft of major proportions is yet problematical.

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Wisconsin Becomes Sixteenth Home Rule State.—At the recent election Wisconsin adopted, by a vote of two to one (299,792 for, 190,165 against) a constitutional amendment giving home rule to cities and villages and became thereby the sixteenth state to adopt such an amendment.

This successfully concludes a struggle for local self-government covering a period of two decades and beginning with the message of Governor La Follette in 1903. Partial home rule was granted to the city of Milwaukee in 1907 but the charter was defeated. A statutory home rule law was enacted by the legislature in 1911, but the following year it was held unconstitutional by the supreme court as an unwarranted delegation of legislative power. Joint resolutions to amend the constitution were passed by the legislatures of 1911 and 1913, but the amendment was defeated by popular vote in 1914. Similar amendments were defeated in the legislatures of 1915 and 1917, but a resolution embodying the present amendment was passed by the legislatures of 1919 and 1921. However, through an error of the senate clerk or of the secretary of state in advertising the 1919 resolution, that resolution was held invalid by the supreme court and had to be re-enacted by the legislature of 1923, the Wisconsin constitution requiring an amendment to be passed by two successive legislatures before being submitted to popular vote. It was this amendment, passed by the last three legislatures, which was submitted and approved at the November election. Such has been the checkered history of the movement for municipal home rule in Wisconsin.

The Wisconsin amendment is brief and somewhat different in wording than similar amendments in other states. It provides: "Cities and villages, organized pursuant to state law, are hereby empowered to determine their local affairs and government, subject only to this constitution and to such enactments of the legislature of state-wide concern as shall with uniformity affect every city or every village. The method of such determination shall be prescribed by the legislature." The grant of power is wide and the words "local affairs and government" are not defined. Although the amendment went into effect immediately upon its adoption it will not become effective in practice until the legislature has passed an enabling act providing the procedure to be followed by cities in taking advantage of its provisions.

The legislative committee of the League of Wisconsin Municipalities, which led the movement and whose efforts together with those of various local organizations were largely responsible for its enactment, is now at work preparing the draft for such an act to be submitted to the coming legislature.

The Wisconsin home rule amendment in no way upsets the present municipal system in force in the state and probably will not for a number of years to come, for quite contrary to general opinion Wisconsin is a conservative state in municipal affairs. But it certainly does confer very broad powers of local self-government upon such cities as may, from time to time, take advantage of its provisions.

Ford H. MacGregor.
University of Wisconsin.

◆

Detroit's New Mayor,—Fourth Since James Couzens.—John W. Smith, former state senator and for one year postmaster of Detroit, was elected mayor of Detroit, November 4, to complete the unexpired term of Frank E. Doremus, who resigned as mayor last June, following a long illness. Mr. Smith's term expires December 31, 1925.

Detroit has had a rapid succession of mayors since Mayor James Couzens resigned December 5, 1922, to accept appointment as United States senator, succeeding Truman H. Newberry. Mr. Doremus, who had represented Detroit ten years in Congress, was elected April 10, 1923, to fill the unexpired term. Mr. Doremus' health suffered a break soon after he entered the mayor's office, due, in part, to the large demands made upon his time and strength but his popularity was evidenced by his election to the two-year term in November, 1923, with practically no serious opposition.

Mayor Doremus again suffered a break in health one year ago. During his absence, John C. Lodge served as acting mayor till last January, when Joseph A. Martin, formerly commissioner of public works, became president of the council and acting mayor. Mr. Martin served continuously in the office till August 2, last, when he resigned to become a candidate for mayor at the fall election, to complete Mr. Doremus' unexpired term. Mr. Smith entered the contest last August, and Martin and Smith were nominated at the primary.

Just before the primary Detroit was taken completely by surprise when Charles Bowles, a lawyer, previously unknown politically, loomed up as an active candidate in the primary campaign. His candidacy had been apparently initiated by a group of Masons, but was vigorously supported by the Ku Klux Klan. In spite of receiving practically no publicity from the daily press, Bowles ran so close to both Martin and Smith that he continued as an independent candidate after the primary, making it a three-cornered contest. The election showed Smith, Bowles and Martin, running close together in the order named. The Bowles' faction had been compelled to cast all their ballots either by writing in the name of their candidate, or by using "stickers" and they insisted on a recount of the ballots which did not change the result, although a partial appeal to the courts was made.

Martin's associates charge that Bowles was inveigled into the situation by friends of Smith in order to split the Martin vote. As matters stand, none of the three received a majority at the election. It is now demanded that the state law and the city charter be amended to prohibit the possibility of entering a "sticker" candidate after the primary, and so produce a three-cornered fight in a non-partisan election.

By city ordinance, the salary of Detroit's mayor was increased last spring from $8,000 to $15,000 per annum.

W. P. Lovett.

◆

How the Cincinnati Charter Campaign was Run.—The following brief account of the campaign methods utilized by the friends of the city manager government in Cincinnati will interest those who have had or expect to have experience in charter campaigns. The final vote was 92,000 to 41,000 in favor of the change.

The City Charter Committee organized in July and at once opened headquarters. Five hundred volunteer workers secured 22,000 signers to the petition for the election which was filed with the city council August 4. On August 26 campaign headquarters were opened in the old Fourth National Bank Building, and thereafter the executive committee held meetings at least once a week, and at the end of the campaign, three times a week. The committee was originally composed of six members, but added to itself others interested, until a maximum number of twenty was reached. During October, these people were untiring in their efforts and worked daily for the cause.

The Cincinnati *Post* carried on a vigorous editorial campaign, and gave daily news service. The *Commercial Tribune* gave generous news reports and several very helpful editorials. The Cincinnati *Enquirer* gave news service, but opposed the movement editorially. The *Times-Star* gave limited news service, and maintained a mild opposition. Editorially it was against the amendment. In all, the newspapers carried 231 columns bearing on the campaign. The *Post* alone published 27 cartoons.

The W. J. Crosley Radio Station co-operated generously. The Ainsworth-Gates Station was also helpful. The total number of speeches broadcast was seventeen.

The following is a catalog of the workers:

20 ward chairman.
465 precinct workers.
75 volunteers doing office work.
11 persons loaned their autos for service.
43 speakers.
250 donors.
283 witnesses to the count. (Political organization witnesses increased this number to approximately 482)

The campaign proper was featured by the following:

Distribution of 300,000 sample ballots.

A vigorous postal card campaign keeping the twenty-two thousand signers informed as to progress and a final letter of instructions containing two sample ballots, one to be taken to the polls, and the other to interest a friend.

47,500 (2 cent postage) letters sent from headquarters office.

41,000 (1 cent postage) letters sent from headquarters office.

239 community meetings with a total attendance of approximately 10,000. Dr. A. R. Hatton addressed a mass meeting of 1,000. The climax of the campaign was reached when two brothers, prominent in Cincinnati affairs, Alfred Bettman and Gilbert Bettman, debated the question before the Cincinnati Womans City Club.

The financial statement in connection with the campaign has been filed and audited. About $10,000 was spent.

The victory was celebrated by a supper attended by six hundred men and women who moved to form a permanent association to promote good government in Cincinnati.

Emily R. Kneubuhl.

◆

Oregon Income Tax Repealed Before Full Year's Experience.—The state income tax law was passed by the legislature in 1923. Referred to the people in the fall of 1923, it was approved by a majority of less than one thousand votes. It went into effect as of the beginning of 1924 and first payments were collected in March, 1924. It imposed a tax not only upon individual incomes but upon the incomes of resident and non-resident corporations doing business in the state. The personal exemptions were $1,000 and $2,000 and the rates varied from 1 per cent on the first $1,000 of taxable income to 6 per cent on income in excess of $12,000.

There was considerable contention regarding the constitutionality of certain features of the law, particularly those relating to taxation of non-resident corporations, and a suit was brought by a corporation which resulted in an original decision against the constitutionality of the tax and a final decision in the supreme court of the state upholding its constitutionality. The latter decision was a surprise to most people because it has been taken for granted that the decision of the lower court would be sustained.

During the summer a movement was started in opposition to the income tax law. This movement was sponsored by C. C. Chapman, editor of the *Oregon Voter*, and was very well handled, so that a repeal was placed on the ballot by initiative petition. In the subsequent election the vote to repeal carried by a majority of 10,000.

The main argument used in the campaign was the contention that the income tax was driving capital from the state and that Oregon, being a competitor with Washington and California for outside capital, could not afford to handicap the various development projects needing outside funds. A detailed study was made of the effect of the tax on outside capital, as well as the effect on existing investments in the state, and it was contended by the opponents that a conservative total of forty million dollars in prospective investments was adversely affected by the tax.

During the summer a very capable committee of the Portland Chamber of Commerce, made an intensive study of the local income tax situation, as well as the national income tax situation, and presented a comprehensive report. This committee, while discounting the forty-million-dollar argument, and while favoring the adoption of an income tax in principle, recommended the repeal of the existing law and the framing of a new law which would follow in general the recommendations of the National Tax Association for a personal income tax law.

In the event of the repeal of the income tax law in the fall election, or in the event of its being declared unconstitutional, this committee recommended the appointment of another committee which would serve with other civic agencies to prepare a new law which would substantially meet the recommendations referred to; namely, (a) limiting the income tax to personal incomes only, (b) low exemptions, and (c) following the provisions of the model bill as laid down by the National Tax Association.

The board of directors of the Chamber of Commerce adopted the recommendation of its committee that the present income tax should be repealed, but there is no evidence that the report has been adopted in spirit or that any attempt will be made by the chamber to assist in any movement to frame a new income tax law as suggested by the committee.

It is not known whether there will be an attempt to re-enact an income tax law at the coming session of the legislature. The main proponents of the income tax legislation have been the Democratic governor and the State Grange and in the coming session the governor will find but little support in the legislature, which is overwhelmingly Republican.

Many Oregonians who are in favor of an income tax in principle have come to the conclusion that the only feasible way to secure it for the state would be through the medium of a tax congress of the three coast states and the adoption of a fairly uniform law in all three.

In the state budget for 1924 it was estimated that there would be collected from the state income tax one and a quarter million dollars. It is thought now that actual collections will be one million dollars in excess of this estimate. This surplus will be carried forward to help finance next year's budget and will alleviate the damaging effect on the budget which the repeal of the income tax might otherwise have had, since the property taxes of the state are to some extent subject to a 6 per cent increase limitation.

C. C. Ludwig.

⁂

Nebraska Effort to Introduce Nonpartisan Ballot for State and Local Offices Fails.—By a vote of 228,485 to 163,832 the following proposed amendment to the Nebraska state constitution was rejected November 4: "The nomination of candidates for the office of United States senator, member of congress, member of the state legislature, and for state and county elective offices shall be by direct primary. Ballots used in the nomination or the election of candidates for elective public offices created by the constitution and laws of this state shall have thereon no party name or circle, or any other designation relative to candidates."

It will be seen that the proposal really comprises three or four quite distinct matters. First, it would write into the constitution the direct primary method of nomination for practically all elective offices. Second, it would abolish for all except national offices the existing party circle method of casting a straight party ticket and write the abolition into the constitution. Third, it would remove all party designations from the ballot for local and state offices and write the removal into the constitution. Fourth, it would require the direct primary employed for the nomination of state and county offices to be a nonpartisan primary.

The leader in the movement for the amendment was C. A. Sorensen, an attorney of Lincoln, who contributed $1,200 of the $1,306 expended for the petition. Members of the Farmers Union and former members of the Nonpartisan League were the chief workers in circulating the petition, assisted by organized labor in general and the railroad brotherhoods in particular. The campaign for signatures began over two years ago.

A statement by Mr. Sorensen constituted the only argument in the official state publicity pamphlet. The chief points presented in favor of the proposal were that it would end the "constant agitation by reactionary interests and politicians to repeal or cripple the direct primary," and would "make it possible for the voters to choose the best man for the office, regardless of his national party affiliation." Senator Norris strongly endorsed the measure as an "important step toward the banishment of the iniquities of partisanship and the placing of our commonwealth upon a business basis."

Until three or four weeks before the election it seemed that the amendment would be adopted. The party organizations actively opposed it and party workers on election day urged the voters to defeat it, especially in Douglas county (Omaha). The friends of the measure could not meet this attack effectively. The Democratic National committeeman is reported to have expressed the opinion in a public speech that the proposal emanated originally and came somewhat directly from Russia. One of the Republican candidates for United States representative said, in effect, "Russia is an outcast among the nations; Nebraska will be an outcast among the states if this measure should pass."

It is commonly asserted that the backers of the amendment hoped to secure the votes of the friends of the direct primary who would not look too closely at the other objects of the proposal. It appealed especially to the persons and groups who resent the limitations of the party primary, —who wish to vote always where the voting is best; that is, for one office in one party and for another in another, if not indeed for all offices in every party. The party primary is practically an open one now in Nebraska in all places of fewer than 7,000 inhabitants. Two years ago the voters defeated a referred bill that would have introduced the registration system into such areas.

The Omaha *Bee* asserted editorially that the object of the amendment was to "clear the way for cabals, cliques, and factions, working in secret to secure ends concerning which they fear to approach the voter. It will revive the Nonpartisan League." The Omaha *World-Herald* claimed that the proposal was framed and sponsored by Senator Norris, "an avowed enemy of the party system." "Its practical effect would be to abolish political parties in Nebraska . . . to reduce all elections to a mere scramble for office. No country in the world has such a law. Don't help to make Nebraska a freak state. The tying up of the amendment with the direct primary is sheer poppycock." After election, under the heading, "Ain't Nebraska Funny," the same paper dismissed a discussion of voters' inconsistencies with the remark that 'Nebraska in politics is like Artemus Ward's kangaroo, a 'komical kuss'."

Coolidge carried the state by a plurality of 81,000 (although 25,000 below Davis and La Follette combined). Senator Norris, his opponent on nearly every major issue, ran 56,000 ahead of Coolidge. The amendment, ardently favored by Norris, was defeated by 65,000.

In conclusion it may be stated that Nebraska now nominates and elects on the non-partisan process (there called non-political) the judicial offices, university regents and state and county superintendents of public instruction.

Ralph S. Boots.

⁂

Referendum on Boston Charter Sends City Back to Old Ward System.[1]—The result of the intricate referendum on November 4 as to the manner of electing the city council was a victory for the reactionary ward council advocates. The importance of the change in the charter was obscured by several state-wide referenda and the result obviously is not a clear expression of public opinion because of many blank ballots. The fears of the friends of the charter and the hopes of the gang element in the city were, however, justified.

The council of nine elected at large was peremptorily abolished by the legislature in the 1924 session. To the voters was left merely the privilege of deciding between two forms of council differing in degree, but not in kind. The first plan provided a council of fifteen, three to be elected from each of five large districts called boroughs. The second plan provided that one member of the council should be chosen from each ward. There are at present twenty-six wards, but the legislature at the same session provided also that the ward lines should be redrawn and the number changed by a special commission which would begin to work only after the referendum was held. This commission could increase the number of wards to thirty-six.

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[1] For earlier account of movement to revise the Boston charter see *National Municipal Review* for August, 1924.

The situation was thus bewildering when the question was asked as to what ward or borough anybody would be in. Those favorable to the ward council played upon the incompatible local groups which would be tied together in the boroughs and the advantage of having local representation at City Hall. The advocates of the borough plan urged that it was a fair compromise between the ward plan and the election at large and reminded the voters of the flat failure which the ward plan had been for seventy-eight years prior to 1910.

It would have been difficult to arouse much interest over such a complicated question at best, especially when it was a choice between details rather than principles, but the fact that seven state-wide referenda took precedence over this purely local question both on the ballot and in the public mind made the task even more difficult. The referenda on daylight saving, a gasoline consumption tax, the state Volstead act and the child labor amendment to the national constitution were vigorously argued. There were also vehement and exciting campaigns for United States senator and for governor. Consequently, both newspaper space and opportunities to speak on the charter referendum were greatly curtailed. The Charter Association found that these other questions had drawn heavily upon the sources which had financed its previous campaigns. It was able to raise only about one thousand dollars with which to canvass 248,000 registered voters. No figures are available to show what the ward plan advocates spent. Many other sources of support in previous campaigns also failed the Charter Association this time. The influence of the mayor's office, instead of being favorable as hitherto, was withheld because the mayor was a candidate for governor.

Despite all these handicaps, the vote was close. The borough plan received 51,602 votes and the ward plan 56,202. It is significant that while 107,864 voters expressed a choice on this question, 111,948 (51 per cent of those voting) left blanks beside this question. By such an inconclusive vote, Boston slipped back another step in the form of its city government.

There is small ground for expecting any improvement, even temporarily, from a ward council. The gang element can control a clear majority of the present wards and probably of the new wards which will become effective in 1928.

The opponents of the ward plan are confident that the desire for ward appropriations and all the petty vices of the ward plan will be so much greater than the discretion of the ward politicians that the inherent weaknesses of the ward system will speedily impress themselves upon the public mind once more. Then there will be a chance to take a real step forward by the adoption of proportional representation. Pending the arrival of that chance, the advocates of proportional representation will keep steadily at their work of educating the public to the advantages of that system.

George H. McCaffrey.

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NATIONAL MUNICIPAL REVIEW

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COMMENT

Economy in Pennsylvania State Government When Governor Pinchot took office two years ago, he offered to absorb an appropriation deficit of $29,000,000 by means of savings in current expenses without new taxation for the purpose, if the legislature would make its appropriations in lump sums to departments rather than in the old detailed manner. For the first time in Pennsylvania, the governor submitted a budget, although the budget principle was not yet established in law.

Mr. Pinchot now has the pleasure of reporting to the legislature that by the end of the biennium his promise will be accomplished. The chief factors making for success have been a series of reforms which have given the governor the means of controlling administration and expenditures. Chief of these has been a consolidated administrative code, a system of uniform accounts, and a personnel classification. The governor pays high tribute to the secretary of the commonwealth, Dr. Clyde L. King, under whose direction the above reforms were carried out and through whose office departmental estimates for expenditures under the lump sum appropriations pass.

An interesting paragraph in the message states that 85 cents of every dollar spent by the state government goes back to the counties in provisions for schools, highways, social agencies, etc.; only 15 cents goes to pay the general expenses of running the state government.

*

Will New York Get the Short Ballot? The constitutional amendment passed in 1923 by the New York legislature, consolidating the 180 independent agencies into an orderly series of twenty departments under heads appointed for the most part by the governor, comes up this year for passage a second time before it can be submitted to the people. Both houses of the legislature contain a majority opposed to the governor, who has been working for the short ballot, and the word has gone out that administrative reorganization must be voted down as a part of the war which the legislature has declared upon the governor. The amendment passed the 1923 assembly which was Republican, but this year both houses are Republican and they intend to yield nothing to a Democratic governor.

The last election demonstrated to the politicians the efficacy of the long ballot. Al Smith was elected governor because of his immense personal popularity, but he was unable to carry the rest of his ticket with him. Consequently the minor elective offices are in the hands of the Republicans. "We would have been in a fine position," the Republican state chairman is reported to have said, "if the short ballot had been applied, wouldn't we?"

The state chairman should be more discreet. The long ballot is the politicians' ballot but they shouldn't be so frank about it. What will the people think if the politicians admit the charges of reformers and theorists?

✣

The Indiana Plan

Philip Zoercher, a member of the state tax commission of Indiana, presents in this issue the claims of the Indiana plan of state supervision of municipal finances. As many of our readers know, the Indiana tax commission has broad powers over the tax levies and bond issues of the localities. As Mr. Zoercher shows, the power to veto increases in local budgets and borrowings was established in the fear that in the face of huge increases in assessed valuations, local officials would not make corresponding reductions in the tax rates and that the percentage limitation on bond issues would be no longer effective.

The system is being watched with great interest in other states where the hunt for economy is fierce. Governor Silzer of New Jersey recommends it in his annual message to the legislature. He claims that experience has demonstrated that the Indiana plan is a psychological check upon appropriating authorities who fear appeal to the tax commission, and that by furnishing such appeal when necessary it eliminates particular items of extravagance.

It may be doubted whether the plan increases the caution of local bodies in levying taxes. It passes the buck to the state agency when full responsibility belongs at home. It should be remembered that increases in taxes are felt at once and bring their own reward to the local officials responsible for them. There is no good reason for violating an accepted principle of home rule, and if Indiana had waited she would have seen the city councils and county boards reap the popular verdict. It might have been in favor of the increases but there is no moral evil in higher taxes if the people who pay them believe they are desirable.

When it comes to local borrowings, the situation changes. Limitations upon debt capacities of cities, unlike tax limits, are universally recognized as proper. Our usual practice has been to set up certain proportions of the assessed valuation as the limits above which the locality can not go. But this is a blind method and there is no rational basis upon which to fix the rate. Who can prove that a 5 per cent debt limit is proper but a 7 per cent limit is wrong.

It is the flexibility of the Indiana debt plan which attracts. It is an example of the recognition of the limitations of rigid legislative control over cities and of the benefits of a flexible administrative supervision. Some city officials who have looked into it prefer it to the present tangled restrictions of statute law. Unnecessary city debts are not felt by the people who contract them, but a city may suffer badly through inability to borrow for needful improvements. Since municipal credit is a co-operative thing, the credit of each city must be maintained; and this can best be done through supervision which distinguishes between extravagant loans and those which are good business and social ventures.

A committee of the League, under the chairmanship of our treasurer, Mr. Pforzheimer, is studying the question. A preliminary report will be ready soon.

COMPULSORY VOTING IN CZECHO-SLOVAKIA

BY CHARLES E. MERRIAM

University of Chicago

Ninety per cent of the eligible persons vote in Czecho-Slovakia. To what extent is this due to the system of compulsory voting? :: ::

One of the unforeseen tendencies of modern democracy is the unwillingness of the newly enfranchised to use their hard won rights. It was assumed that if all men could vote, all men would vote. This assertion, unchallenged even by opponents of universal suffrage, has not yet been sustained, certainly not in the United States where scarcely half of the qualified voters cast a ballot even for president of the nation.

VOTING A DUTY AS WELL AS A RIGHT

One of the most interesting experiments in government, of the many now being conducted in Europe, is that of Czecho-Slovakia. Amidst great enthusiasm, especially on the part of the Czechs, and under very intelligent leadership the new republic is undertaking many political ventures of great interest to all students of modern democracy. Not only have the Czechs established a republic, destroyed all evidences of hereditary political power, and granted universal suffrage to women as well as to men, but they have also made voting a duty as well as a right. They say to those who make up the infant republic not only, "you may vote," but "you must vote." This system,[1] not wholly novel it is true, the writer wishes to discuss on the basis of personal observation and examination in the summer of 1924.

The Czecho-Slovak law lays down the rule that "Every voter is obliged to take part in the election." Unless excused, he is liable to a fine of not less than 20 and not more than 5000 crowns (on the basis of the present rates of exchange $6 to $150), or imprisonment from one day to one month. Of excuses there are five main types. If a voter is over seventy years of age he is not obliged to go to the polls; or if he is suffering from illness or physical disability; or if he is absent from his district not less than one hundred kilometers (sixty-two and one-half miles); or if he can show some unavoidable obligation incidental to his occupation, as for example, that of the physician called to attend an important case; or if there has been a breakdown in transportation; or finally, and this might conceivably cover a multitude of cases, "other difficulty impossible to overcome."

ALMOST EVERYONE VOTES

Whatever may be the cause, it must be said that thus far almost every one votes. In the local elections of 1919, 91.6 per cent of the eligible voters came to the polls; in 1920 in the parliamentary elections 89.9 per cent of the eligibles voted; in the local elections of 1923 (in Praha) 87.5 per cent. The most important case is that of the parliamentary election. There were 6,917,956 eligible voters on this occasion, of whom 6,220,778 voted and 697,178 did not. 20,746 ballots were invalid or unmarked, a remarkably small figure. In some of the districts the percentage of voters was as high as 98.

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[1] The best discussion of the subject is found in Barthelmy's "*Le vote obligatoire*" in *Revue du droit public et de la science politique* Tome XI, No. 1 (1923).

Among the lowest votes was that in the seven districts of Praha which averaged only 87.2 per cent. There seems to have been little difference between the urban and the rural districts, or between the various sections of the country. The various parks of the Republic voted as follows:

Bohemia	90.4
Moravia and Silesia	89.2
Slovakia	88.5

It is interesting to note that more women vote than men, not only absolutely but relatively. In the parliamentary election, the percentage of women's vote was 90.9 and of the men's vote 88.8. The actual number of men voting was 2,900,128, and of women, 3,299,904. This made the actual percentage of men's votes to total votes 46.6 and of women's 53.4. In a number of districts the percentage of women's vote ran up above 95.

The women's vote is all the more striking to me because in our recent survey of non-voting in Chicago some of the highest percentages of nonvoters found were those of the Bohemian women.[1] They thought it was not the proper thing for women to vote and therefore remained away from the polls. But in Bohemia, whence they came, the percentage of women voting was 90.9.

In practice the obligation to vote is emphasized rather than the punishment. In many cases nothing is done with the non-voter, and the possibility of punishment is not taken very seriously. In many cases he is notified and sends in his excuse in writing. In other instances the non-voter is summoned before the officials and required to give his excuse orally, and perhaps reprimanded if he does not have one that seems adequate. In a few instances the non-voter is actually fined. Thus in Praha, of 40,000 non-voters, the records supplied me showed that 265 were actually fined. Of course the summons to appear may be regarded as a mild form of punishment, especially if actual appearance is required. The possibility of being summoned and thereby inconvenienced may operate as a still milder form of punishment.

Practically all those with whom I talked seemed to regard the moral obligation or patriotic duty as the most important factor in the law, and to minimize the idea of fine or imprisonment. So little, in fact, is attention focused on the punitive features of the law that for some time I had great difficulty in ascertaining the facts. Some prominent publicists asserted that no one was punished, and others that every one who violated the law was punished. In reality very few actually fall into the clutches of the law, but no doubt the fact that the requirement is a legal one operates to bring in many who would otherwise remain away.

OTHER FACTORS THAN OBLIGATORY VOTING

The causes of the large vote in Czecho-Slovakia may be found in other factors than in obligatory voting. Among these are custom, the enthusiasm for the newly acquired right to vote, the rivalry of the various parties, and the voting system. Even under the old régime the percentage of voters among the relatively few who had the right was large, reaching 80 per cent in Bohemia. It is to be observed, however, that in Moravia and Silesia voting was compulsory before the revolution and that 92 per cent to 95 per cent voted. Furthermore, after the revolution women were enfranchised and many men who had never possessed the franchise before (only 21 per cent of the population) were enfranchised. There was a general glow of enthusiasm on the part of the new nationals, and they turned out to vote almost unanimously. Whether this original enthusiasm will continue as time goes on is of course problematical.

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[1] Merriam and Gosnell *Non-Voting*, Ch. V.

Finally, we must reckon with the party system of Czecho-Slovakia and the method of proportional representation that accompanies it. There are twenty to twenty-five parties in the Republic, depending on how you reckon them. These groups represent lively differences in race, religion, economic class, and to some extent geographical differences. There are racial groups divided as Czech, Slovak, German and Hungarian. There are groups called socialistic in various forms and other groups called bourgeois. There are groups based chiefly upon religious considerations, as is the powerful clerical party. There groups are also crisscrossed. There is a Czech socialist, a German socialist and a Hungarian socialist party. There is a Czech agrarian party and a German agrarian party. There is a Slovak clerical and a Czech clerical party. There is a Czech middle class and a German middle class party. There are Czech communists and there are German communists.

Now these parties are represented in parliament in proportion to the size of their vote. On the average, 24,619 voters are given one representative, the number varying through the 21 election districts from one for 19,624 in Mikulas, to one for 32,714 in Kosice, both in eastern Slovakia. The larger the vote they can bring out, the larger will be the representation of the parties. Consequently, every effort is made to develop the greatest possible strength on election day. The Czech, the German, the Slovak and the Magyar are eager to have their full representation, but this depends on every eligible Czech, German, Slovak and Magyar voting. The working class, the farmers, the business men are anxious to have all the parliamentary strength possible; hence they come out on the critical day. Likewise the clericals are not to be left behind at the polls, because this may affect their vital interests. One may or may not be of the opinion that twenty parties are desirable, or that proportional representation is or is not desirable, but the fact is that this is the system in vogue, I draw the conclusion that this affects in an important way the extent of the voting in Czecho-Slovakia. Probably the same cause is at work in Germany where a large vote approaching 90 per cent is also reached under similar circumstances,[2] but without obligatory voting.

FEW ELECTIONS AND PERMANENT REGISTRATION

Other considerations favoring a large vote in Czecho-Slovakia are the small number of elections, the relative simplicity of the ballot, and the permanent registration of all voters on official lists. These are minor considerations, perhaps, but are not to be neglected in analysing the remarkably high percentage of voters who actually come to the

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[2] The representation falling to the various countries under this system is as follows:

Bohemia	157
Moravia	73
Slovakia	61
South Carpathia	9
	300

But the actual division is made among 21 electoral districts.

polls on election day. All of them have a direct bearing on non-voting.

In view of the large amount of non-voting in the United States, it may be asked would such a law be desirable here? There are, of course, many considerations that may be advanced in behalf of such a measure, but it seems to me that the balance of the argument is against the plan.

There is little to be gained by forcibly dragging the unwilling or indifferent voter to the polls, willy nilly. Even when he comes under such circumstances he cannot be obliged to vote, and as experience in some cases shows he may cast a blank ballot as a protest. It is possible that a habit of voting might be established in the long run, but it is also possible that we might still further deepen the hostility or indifference to government which is so serious a factor in modern life. A drastically enforced law might arouse resentment and a law not enforced would create contempt.

Another difficulty lies in the field of administration. We have no lists of eligible voters at present by which we might determine whether all those who should have voted actually did vote. Of course such lists could be made, and if they were honestly and accurately made it would be well to have them. I do not say that the government is incapable of compiling them. But would the law be rigidly enforced? In a city like Chicago or New York there would inevitably be at the outset some hundreds of thousands of non-voters. Let us say in Chicago of 1,600,000 possible voters 250,000 would not vote, or in New York twice that number. Would these persons all be notified, summoned, reprimanded or fined? Or would we have one more of the many laws that are enforced on Tuesdays and Saturdays? My prediction is that the law would not be at all adequately enforced, and would be another quasi-legal, quasi-moral obligation of the type now puzzling some conscientious citizens.

However, this is a country with 48 separate experiment stations and there is no good reason why some of them should not try it out; or some city or county for that matter. The basis is already laid for such laws by constitutional amendments in North Dakota and Massachusetts.[3]

A scientific treatment of non-voting must go deeper down, must deal with causes rather than with symptoms. We must find out why men do not vote and then deal with the situation as we find it.

More than that we must produce not only more voters, but more intelligent voters, who can take part in the constructive political thinking upon which in no small measure the future of the nation and of the race depends. Fifty million voters may be no better than twenty-five, unless they vote with their heads as well as with their prejudices and their ingrained hates and superficial likes and dislikes.[4]

[3] See W. T. Donaldson, "Compulsory Voting and Absent Voting" (1914); J. D. Barnett "Compulsory Voting in Oregon", *American Political Science Review*, XV, 255.

[4] Suggestions on how non-voting may be reduced are contained in the volume on *Non-Voting* by Merriam and Gosnell, Ch. IX, X.

WHY CINCINNATI VOTED FOR P. R. AND A CITY MANAGER

AND WHAT SHE INTENDS TO DO ABOUT IT

BY HENRY BENTLEY

Chairman of Cincinnati Charter Campaign Committee

On November 4, 1924, the people of Cincinnati, by a vote of 92,510 for, 41,105 against, adopted an amendment to the Municipal charter, providing for a council of nine, elected at large by proportional representation and a city Manager, to be selected by such council. The adoption of this amendment was opposed by the local Republican party. Although in the same election the entire Republican county ticket was elected and President Coolidge received in the city of Cincinnati a vote of 92,491, the charter carried by a vote slightly larger than the vote received by President Coolidge. How it happened that the local Republican organization secured fewer than half as many votes against the charter as it polled for its presidential candidate, is the question that is asked again and again, sometimes by mere citizens and other times by the old line machine politicians. The result seems to puzzle both amateurs and professionals.

Of course, a reversal of political advice as gigantic as this would naturally arouse comment in any city. However, when it occurred in a city noted throughout the country for its peculiarly powerful political machine, the interest is greatly increased. The editor of the National Municipal Review has asked me, as the chairman of the campaign committee in charge of the Cincinnati charter amendment, to express my opinion as to the reasons for so overwhelming a victory.

The prime reason for the victory was the fact that political conditions had become intolerable in Cincinnati and the charter amendment offered a way out. Like all simple explanations, however, this does not explain. For many years there has been dissatisfaction but the political machine has been so strongly intrenched that it has disregarded the discontent. Its task was made easier by certain peculiarities of the old charter of Cincinnati.

NO INDEPENDENT CANDIDATES POSSIBLE

The old city charter provided for the federal plan of government. It was unique in two respects. Cincinnati was the only city in the United States of America where a candidate for office could be nominated only at the primaries of a political party. No one could be nominated by petition, and no one could run as an independent. In consequence, since the Democratic party was very weak in Cincinnati, a nomination by the Republican party was equivalent to an election, and little regard was paid to the wishes of the public. Candidates were trained to feel that they were representatives not of the public, but of the party. A peculiar form of party responsibility was thus created. The party executives discussed details of administration and directed the elected officials to do or not to do certain things. The elected officials accepted the recommendation of the party executives and were content to substitute for personal responsibility, this so-called party responsibility.

The other unique feature of the charter was the form of ballot. Twenty-seven cities in Ohio had adopted charters under the home rule provision of the Ohio constitution. Twenty-six of these eliminated the use of party emblems in municipal elections. Cincinnati was the one exception among the charter cities of Ohio. It retained the eagle and the rooster in municipal elections and this made it much easier for the organization in control to poll the ignorant vote.

"PARTY RESPONSIBILITY"

These two peculiar provisions in the city charter, together with the local acceptance of the doctrine of party responsibility, made it exceedingly difficult for the popular will to express itself through the customary political channels. Under the Ohio law, the governing body of each political party is elected at the primaries in the even numbered years, while municipal elections are held in the odd numbered years. Under the Cincinnati system of party responsibility, the real governing body of the city was always elected at the primaries a year before the municipal election. The public attention was directed to state and national issues at the very moment when the real governing body of the city was being chosen. The selection of party executives was made regularly by a very small minority of citizens voting at the primaries and when the municipal election occurred a year later, it made little difference who were selected as officers of the city, because the party executives, elected the previous year, exercised complete control.

A little consideration of this system will demonstrate its security against direct frontal attack. The great majority of Cincinnatians are Republicans in national politics. In municipal elections the personality of the candidates was effaced. It was openly proclaimed that the candidates accepted the doctrine of party responsibility and would be bound by the decision of the party executives. On one or two occasions, in a popular revolt the citizens had elected a Democratic mayor. However, with twenty-six wards carefully gerrymandered, the Republicans usually managed to retain control of the council. With a hostile council, the wheels of the city government could not turn, and after an experience of the futility of accomplishing any improvement in administration by electing a Democratic mayor, the voters at the next election returned the machine to power.

With a public trained to accept the doctrine of party responsibility, it was very easy to compel candidates for office to accept the same doctrine. No matter how efficient a public servant was, the public could not renominate him if he had incurred the disapproval of the party executives, and no matter how inefficient he had been, the party executives could insure him nomination to some office and a nomination in Cincinnati was equivalent to an election.

Before any movement for reform could be started, it was necessary that the public be educated to the defects of the present system. This education was begun by a little organization called the Cincinnatus Association. It was organized by a small number of men, mainly ex-service men, who upon their return from the army were desirous of carrying back into civil life some of the idealism of war service. This organization began an investigation of certain specific phases of city government. For several years it held its meetings twice a month and listened to reports of special committees on specific phases of city administration. Since these discussions were non-political, the newspapers gave them a great deal of publicity. Gradually the public began to be interested in these debates, and at the same time the members began to appreciate that behind the isolated mistakes of administration was a unified force working for inefficient government.

Out of the discussions in this organization was developed the fact that the city was being discriminated against in the division of taxes for the benefit of the county, and that the county was wasting money while the city was maintained upon starvation rations. As a result the special tax levy asked by the city officials was defeated at the polls in 1923. As the result of another paper read at the Cincinnatus Association, a movement was started to abolish the party emblem in municipal elections, and petitions were circulated by the Birdless Ballot League. This movement, as was explained in the Review, developed by combination with another group, into a movement for a thorough-going reform, the amendment of the city charter to provide for:

(a) The elimination of the party emblem in municipal elections.
(b) The nomination of candidates by petition only.
(c) The reduction of council from thirty-two to nine, and the election at large instead of by wards.
(d) The use of proportional representation.
(e) The city manager form of government.

The persons interested in launching the movement selected six individuals as the executive committee, Miss Agnes Hilton, president of the Cincinnati League of Women Voters, Mrs. Guy V. Tawney, president of the Woman's City Club, and Murray Seasongood, Guy W. Mallon, Edward F. Alexander and Henry Bentley, four lawyers, upon the theory that the amendment was a technical document and would be judged in part by the qualification of its draftsmen.

LITTLE MONEY SPENT

The minimum expense of a campaign was estimated at $5,000. A small group of interested citizens agreed to contribute whatever sum would prove necessary to bring the popular subscription up to $5,000. This enabled the work to start at once and also permitted the finance committee to wait until public enthusiasm was stirred before soliciting funds. The finance committee, subsequently under the chairmanship of Ralph Holterhoff, established the remarkable record of raising nearly $10,000 and of having a balance of nearly $1,000 in the treasury after settling all expenses of the campaign.

The first steps taken were building a women's organization. Miss Emily R. Kneubuhl was employed as educational director, and Miss Bessie Fennell as business manager. Through the wonderful assistance of the League of Women Voters and the Woman's City Club, an organization of women was perfected in twenty of the twenty-six wards in Cincinnati. Twenty ward chairmen were selected and 465 precinct workers were enlisted under them.

A speakers' bureau was organized and forty-three speakers addressed over three hundred meetings. Throughout the campaign the effort was made to present speakers to existing organizations rather than attempt to organize special meetings. By this means persons were reached who were not already convinced instead of merely those already favoring the project. The only speaker brought from the outside during the campaign, was Dr. Augustus R. Hatton, who addressed our one specially arranged meeting at Emery Auditorium on October 18, 1924. Whenever possible, debates were staged upon the charter, and at more than two-thirds of the meetings, speakers appeared against as well as for the charter.

At each meeting addressed, cards were passed among the audience for signatures volunteering services in some capacity in the fight. In this way, seventy-five volunteers who worked during the campaign in the office, eleven persons who loaned their automobiles for service, 283 witnesses to the count on election day, and many of the 465 precinct workers were secured.

PART PLAYED BY NEWSPAPERS

Throughout the campaign, the newspapers were kept supplied with copies of the telling points made by our speakers. Walter J. Millard, assisted greatly in this work. The Cincinnati *Post* carried on a vigorous campaign for the charter. The powerful support of its able editor, Elmer Fries, and the publication of its daily cartoon by Claude Shafer were of vital influence in securing victory. The *Commercial Tribune*, the Republican morning paper, supported the charter amendment. Many thanks are due to its courageous editors, Capt. Wade G. Mountfortt and Harry Brown, for their independence in supporting the charter amendment despite the opposition of the local Republican machine. The editorial support of this paper enabled the proponents of the charter to point out the difference between being a Republican and yielding to the Republican machine all right of choice. That this point was decisive is shown by the fact that the presidential vote was: Coolidge 92,491, LaFollette 32,547, Davis 26,995, a total of over 60 per cent Republican, while the charter vote was 92,510 for and 41,105 against, nearly 70 per cent against the Republican machine direction.

The Cincinnati *Enquirer*, the Democratic morning paper, gave full publicity to the arguments presented for and against the charter, but at the last moment, a few days before election, published an editorial against the charter.

The Cincinnati *Times-Star*, the afternoon Republican paper, gave limited publicity to the arguments in favor, full publicity to arguments against the charter amendment, and editorially opposed the movement.

The Charter Committee was aided by a number of fortuitous circumstances that irritated different groups of citizens. The citizens who depended upon street cars for transportation were dissatisfied because the fare had been raised in a few years from five cents to ten cents and was still going up. The citizens who drove automobiles were angry because of the condition of the streets and particularly because it was brought out during the campaign that the city officials had diverted the automobile license fees from the repair of streets, as required by law, to other purposes. The Chamber of Commerce was incensed because council had disregarded the recommendation of an expert employed by it to investigate the gas rate, and over its protest had passed an ordinance increasing the gas rate beyond all reason. Labor was angry because of a suspicion that the candidates nominated for the state legislature by the Committee on Progressive Political Action were counted out in the Republican primaries in August. Certainly there were grounds for this suspicion when the vote in the precincts where labor had witnesses was compared with the vote in precincts where there were no labor witnesses. The charter amendment abolished the precinct count and required a count in daylight at a central counting place. This provision appealed strongly to the men who were resentful against errors in precinct counting.

All of these fortuitous circumstances were seized upon by the Charter Committee, and the appeal for a small council, business management, and honest elections united the citizens as they had never been united before. The result was a victory so overwhelming that even the proponents of the charter can as yet scarcely realize it.

PERMANENT ORGANIZATION CREATED

A great community supper was held at the Hotel Sinton on the evening of November 19. At that meeting over six hundred of the workers in the charter campaign were gathered. Great enthusiasm was exhibited and it was felt that unless an organization was effected to secure the election of proper men for council, the victory might prove futile. A motion was made that the City Charter Executive Committee of six add to itself five members, and that this committee act as an organization committee to formulate plans to "Give the Charter a Chance."

This Committee has added to its number, Dr. John M. Withrow, John D. Ellis, Ralph Holterhoff, Philip Ziegler and Walter S. Schmidt. It has engaged permanent quarters at 18 East Fourth Street. It purposes the enrollment of members on the basis of a fee of $1.00 per year, or service. It will divide its work into three different departments:

1. A department of study, to investigate phases of city government and to co-operate with a bureau of municipal research which it is expected will soon be formed.
2. A department of publicity, which will endeavor, through the medium of volunteer speakers and the press, to educate the public regarding the results of the study department.
3. A department of organization, which will endeavor to perfect the ward and precinct organization of the city so as to have a human telephone system whereby facts of political significance can be carried direct to the voters. This department will also organize the witnesses and challengers for the elections, so that an honest election can be guaranteed.

It is planned to secure a budget of $25,000 per year, on the basis of three-year subscriptions. At the Hotel Sinton the night of its organization, without individual solicitation, pledges of nearly $2,000 a year for three years were obtained.

Of course, it is too early to determine the exact lines upon which this organization will operate. Whether it will attempt to nominate candidates or will limit its activities to indorsing candidates and endeavoring to influence the political parties to nominate acceptable candidates, this much is certain that the enthusiasm for better government aroused by the charter campaign in Cincinnati has survived the victory.

The work planned by the committee for the coming year will furnish the citizens of Cincinnati information in regard to the problems of the city. It will emphasize the importance of the position of councilman and the dignity and honor of the position. It is hoped and believed that by this means men of the type desired can be interested to become candidates. For the first time in many years, prominent citizens are discussing the possibility of running for office. If men of the proper type can be interested as candidates, the committee believes they can be elected. There is a better opportunity in Cincinnati of electing men of the highest type, than exists in most cities, because of the fact that the population is more homogeneous. Cincinnati has a small foreign population. Over 89 per cent of its citizens are native born Americans. There is little religious antagonism, as for several years Jew and Gentile, Catholic and Protestant have pooled resources in the Community Chest Campaign.

It is too early to predict success, but the task of uniting the citizens to elect good men to council is a much easier task than the colossal effort involved in uniting 92,510 citizens to vote in favor of an abstract proposition called the charter amendment. The 92,510 citizens who voted for the charter amendment were, it is true, united against the existing government rather than in favor of the new government. The work for 1925 is planned to convert these voters from critics of poor government to active laborers for good government. Political conditions are distinctly favorable to the election of a council pledged to good government and constructive policies.

OBJECTIONS TO ZONING CONSIDERED

BY THOMAS ADAMS

Director of Surveys, Plan of New York and Its Environs

Being a reply to an Address by William P. Gest, of Philadelphia[1]

There are, of course, people who object to zoning. There are passive and active objectors. Those who believe in the policy of *laissez-faire* and prefer to let things drift—because the evils of control are, in their minds, greater than the evils that arise from unrestricted growth—may not actively protest against zoning, but think it wasted effort. Then there are those who actively oppose enlargements of government power to prohibit doing things that they allege are not proved to be undesirable; and are still less proved to be improper.

Probably the most carefully prepared statement against zoning has been made by William P. Gest, of Philadelphia. Mr. Gest has been accused of making an unfair attack on the principle of zoning. I cannot detect any unfairness, but merely an excess of zeal of a protagonist to prove his case and an effort to capitalize every argument against something he instinctively believes to be wrong. In spite of evident bias, the statement is made with a cleverness and sincerity that justifies an effort to answer it.

Mr. Gest mars his case by objections to the kind of isolated injury to some, or unfair benefit to others, that any change of system must cause. For instance, the very first objection hinted at is to the monopoly that would be granted to an existing store in a residential district—because no more stores are permitted. But this is obviously the kind of isolated result, not of zoning but of the fact that in dealing with established conditions it cannot be retroactive. That is not a real objection to the application of zoning, but to the fact that its application has been too long delayed. And the author would be the first to see and condemn retroactive zoning.

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[1] Address by William P. Gest, president of the Fidelity Trust Company, of Philadelphia, delivered before the Forum of the Philadelphia Chapter of the American Institute of Banking.

RELATION OF HIGH BUILDINGS TO SPACES SURROUNDING THEM

He sees that one effect of limiting the height of buildings to from one to three times the width of a street would result in some part of the value of unimproved real estate being transferred to other improved property. Here again the objection would be relevant against all improvements or raising of standards above existing conditions, no matter how necessary these might be.

The author questions the correctness of the assumption that high buildings are a detriment. They are, in his view, a modern necessity, and for health are much better than old-fashioned buildings. But zoning is not based on the assumption that high buildings are detrimental or unnecessary. What zoning really seeks to do is not to limit heights or bulks of buildings, but to adjust the scale of these heights and bulks to the space surrounding them. That adjustment may involve limitation of height as an incident in securing proper scale, but the cause of that limitation is the inadequacy of the adjoining open space—and owners of property should either give more open space as they increase heights or limit heights to conform with existing space so far as necessary in the interest of health and safety. Mr. Gest, however, makes this claim against a proposed ordinance that permits buildings to be three times the width of the street. Can it be said with seriousness that buildings of a greater height than three times the width of a street are necessary and desirable, or that the assumption that they are has any more facts to support it than the assumption that they are not? It is a fact that Manhattan, with the greatest number of high buildings, has no greater average concentration of floor space than the central areas of London and Paris—the average for the island being four and eight-tenths stories. It has still to be proved that a much higher average is economically practicable, as experience is gained of lowering revenues resulting from street congestion and dark interiors when high buildings become the rule instead of the scattered exception. The author overstates his case in referring to the health of the new high building as compared with the old low building. The proper comparison would be between the new buildings covering whole blocks and overshadowing streets having a width of one-third the height of the buildings—and other new buildings one-third the height and penetrated with sunshine, light, and air.

IS PROPERTY IMPAIRED?

The author's fear that restriction of density of buildings on lots would take away the value of property is groundless if the zoning regulations were as reasonable as in New York—where the practical experience is that the restrictions do not diminish if they do not add to values. The tendency of owners in New York has been to ask for more rather than less restriction, in their private interest. Therefore the benefit that goes to the public is a created benefit and not something that the owner transfers to the public without compensation. One owner may lose, but not without power to appeal against loss, but owners on the average gain. Isolated cases of loss prove nothing.

Control of real property does not pass from the owners under reasonable zoning restrictions any more than it does under building codes or street regulations. The author would agree to a gradual improvement of building laws and therefore to restriction of use of real property. The benefits he claims for generality and uniformity of laws are based on the fallacy that all parts of a city are alike in the character of their development, and that such a thing as equitable uniformity of regulation in a modern city is possible.

Having begun with such arguments as I have indicated, it is not surprising that the author fails in his attempt to formulate the principles on which a zoning ordinance is based. Under zoning, properly applied, the control of property by a central authority would be subject first to the consent of the great majority of owners in a zone, and second to a right of appeal against the proposed regulation or its continuance. It is only the theory of the author that the owner would suffer damage, and practice proves the contrary, as a rule. Other statements based on this theory, consequently, fall to the ground.

AMERICAN AND GERMAN METHODS CONFUSED

The author may have some ground for the claim that the administration of zoning in Philadelphia would be bad, but that is an objection on political grounds and is no argument against the principle of zoning. The "ifs" expressed in regard to transfer of values, the benefits to the rich at the expense of the poor, etc., are based on assumptions that the administration will be bad and that the zoning regulations will be unreasonable—neither of which affects the soundness of the principle. Zoning which goes against economic trends is, of course, wrongful zoning—but while every good thing under the sun can be abused, that is no reason to object to its use. The fact that Germany has used autocratic methods in applying zoning is not a reason to object to zoning, but to the autocratic methods. The benefits that have accrued to German cities from city planning and zoning are not to be condemned because of objections to German people and methods on other counts. Such benefits as there are,—and they are not unmixed with injury to social life, as Dr. Stübben points out,—have been obtained under methods that are obnoxious to American people. But that need not blind Americans to the merits of zoning even under German conditions or to the benefits which can be obtained by methods that are entirely in conformity with American conditions and traditions. Zoning as it has been and is being carried out in America may be claimed to have received some of its stimulus from Germany, but it does not and happily could not be imposed by German methods. The housing conditions in Berlin are as bad as painted by the authorities quoted by Mr. Gest, but they are the product of conditions that existed prior to zoning, and it is in order to improve these conditions that city planning and zoning have been promoted in German cities.

The truth of Mr. Gest's statement that the experience of German cities is not applicable to American cities cannot be gainsaid. The need for pointing it out is a real need in view of much trumpeting of claims of efficiency for German city government. But all this is beside the question so far as the soundness or otherwise of American zoning is concerned. *American zoning is an American product adapted to American institutions, and it is significant that England is turning to America to imitate its zoning policy because of the fact that no such system exists in Europe.*

DO LIFE AND LIBERTY RANK WITH PROPERTY?

The author quotes the fifth amendment to the constitution of the United States, in the words: "No person . . . shall be deprived of life, liberty, or property without due process of law, nor shall private property be taken for public use without just compensation." He shows his bias by putting this quotation under the heading of "Property not to be taken without compensation." Why all this emphasis on property rather than on life and liberty? Is not the erection of buildings that are injurious to health a deprivation of life and liberty, and are not sunshine and air-space that cannot be obtained in the excessively high building essential to health and therefore to enjoyment of life? Are not limitations on the use of property that are necessary to the life and liberty of the greater number, merely the deprivation of the right to the lesser value (property) to prevent the deprivation of the greater value (life)?

Is there not a question of injustice involved under the constitution when the use that one man makes of his property deprives his neighbors of their property? If I erect a high building that deprives an adjoining owner of light and air for his building, is not that a taking of property without compensation, and would not it be the proper function of government to prevent such injury? The "utmost development of liberty" is only possible with the restraint of license. Or as Mr. Gest quotes from Montesquieu, with apparent approval:

"In order to have this liberty, it is requisite that the government be so constituted as one man needs not be afraid of another."

The effect of the erection of a building so high that it casts a shadow on adjoining lots, or of putting a corner grocery in a residential street, or of putting a noxious industry in a district used for homes, is to destroy property and to give one man the power to cause others to be afraid of the unintentional malice of his neighbor. It is therefore destructive of liberty.

The question raised by the author as to whether a zoning ordinance is really an exercise of the police power does not need an answer. It has been answered affirmatively in unmistakable terms by the courts of the land.

In his final paragraph the author quotes Washington who said that the government of this country "can never be in danger of degenerating into a monarchy, an oligarchy, or an aristocracy or any other despotic or oppressive form so long as there shall remain any virtue in the body of the people." How true this is, in a sense that demolishes much of the argument of Mr. Gest—in the sense of requiring that the virtue in the body of the people shall not be injured by the passion of gain by the few.

In addition to the tradition of political and social independence which Washington left behind him as an inspiration and guide to the American people, was the tradition he created by planning the city of Washington. As Thomas Nelson Page says, he was the creative and compelling force and combined with Jefferson to produce the breadth and greatness of the plan. He had his difficulties with owners, such as the "Obstinate Mr. Burns," but united with Jefferson in the determination to lay off the capital city on lines which should be worthy of the country as they foresaw it. Washington and Jefferson paid no attention to the scoffers or to the ridicule, but proceeded with their large conception. [1]

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[1] "Washington and Its Romance," by Thomas Nelson Page.

MUNICIPAL GOVERNMENT IN THE UNITED STATES: SOME IMPRESSIONS

BY I. G. GIBBON

Assistant Secretary, Ministry of Health, Great Britain

Mr. Gibbon, who has long been associated with the central supervising authority having jurisdiction over municipal administration in England and Wales, recently visited the United States. :: :: ::

1. Bewilderment at the almost tropical diversity of the forms of government, admiration of much of the splendid work that is being done, intense interest in the whirl of municipal experiments—these are some of the impressions left on the mind of an outside observer, who is daily engaged in the problem of municipal government, after a survey of the multitudinous efforts which are being made in the United States to justify the ways of democracy to efficiency.

One sometimes wonders how many of the busy citizens of the States really believe in their heart of hearts in the virtues of democracy for municipal administration. Not a few of the efforts which are being made appear to be an endeavor to apply to municipal government the autocratic methods of administration which are deemed efficient in the world of private business.

On the one side flourishes the system under which far the greatest part of the government of a city is placed for a term of years in the hands of one man, elected by popular vote, it is true, but a temporary Caesar in his sphere, if he be possessed of the necessary force of character. On the other side, however, are still found in plenty primitive methods of government, such as the popular election of many officers with executive or even judicial duties, a system which, to one accustomed to more developed conditions, would appear to be safely applicable only in a simple community whose ways are plain and where knowledge of the affairs and characters and abilities of its members are well known to each other so that popular election would not be likely to go far wrong in choosing the man required for a particular post. This jostling of the old and the new, the devout tribute to democracy side by side with the uneasy striving for the ways of modern business, is doubtless part of the price paid for the youthful immaturity and the restless vigor of urban America.

2. To one accustomed to local government in England and Wales, there are few things more striking than the tendency in the States to concentrate authority and responsibility in one person.

I am not sure that this practice might not even be condemned here as "undemocratic"—such a system which does not provide that the ultimate control in the general sphere of local administration shall rest with an elected representative council, and places responsibility largely with one officer, elected though he be. There is, of course, no reason for declaring this less democratic than the council system, both equally being devices for securing that the will of the people shall prevail. But whereas the British citizen is inclined to be wary of anything approaching seeming autocracy, national or local, the citizen of the States tends to pin his faith to one-man control—a difference which admits of an interesting historical explanation. The special circumstances which have arisen in the States to make acceptable this concentration of authority have not occurred in this country; and any measure of that kind would be quite alien to our development.

While the powerful position of the mayor in many cities is, on the whole, to an outsider the most striking feature of municipal government in the States, the most interesting recent development is, of course, that of the city manager. This movement is of particular significance to us in Great Britain because we also have the problem, not yet satisfactorily solved, of unity of official control, of the proper co-ordination of the various municipal departments so as to secure the highest measure of efficiency of the whole machine.

I had the good fortune to attend the conference of city managers at Montreal, and I was much impressed by the knowledge, ability and the zeal which was brought to bear by the city managers on their work. We in England and Wales are happy in the service of a permanent municipal personnel which, for ability and devotion to duty, stands unsurpassed. There is, in my experience, far more of this permanent element in the municipal life of the States than is generally credited; but there is undoubtedly room for development, and the possibilities of the city manager movement in this connection are great.

3. *The future of the city manager form of government is imperiled, it seems to me, by the incursion of city managers into matters of policy.*

I was much impressed by the way in which the city manager is often involved in questions of policy, how, in some cases, at least, he has to go into the highways and byways and publicly advocate measures—a practice which, in this country, would not be countenanced in an official employed by a corporation.

I have not in mind the case of Cleveland—where the circumstances are, I judge, quite special. The very able city manager there seems to be more in the position of a "strong mayor," the difference being that he is chosen by the council, not directly by the electorate; and it seems at least open to question whether, in the particular conditions prevailing at Cleveland, any other course was immediately practicable.

Nor am I venturing to criticize the measures taken by city managers generally, measures which are obviously determined by the circumstances of time and place, by the prevailing opinion and expectations of the electorate.

It is manifest, however, that in so far as an executive officer becomes identified, much less becomes a leading advocate, of a particular policy, his fate, and not only his own fate but that of the system of which he is a pattern, may be determined by that of the policy—and policy notoriously changes in a democratic community, inevitably so. For an executive officer to hold himself aloof from the advocacy of a particular program with which he is in fullest sympathy, which he may consider of vital concern for the well-being of the community which he serves, may easily result in reduced efficiency for the time being; but the general principle of the security of executive tenure may be of even greater weight in the long run, and, if that principle is endangered, the immediate advantage may be small as compared with the enduring loss.

With us in this country, few municipal officers possess statutory security of tenure; the security which is theirs is the fruit of tradition; and one of its essential conditions is that officials do not become public advocates of policy, but serve their councils to the best of their ability, even though they may privately not agree with some of their measures.

I should be inclined to say that one of the conditions of a sure future for the city manager type of government, and especially its extension to the largest cities, is that some means be devised, wholly outside the city manager, for the public advocacy and defense of measures of policy.

The candid recognition, and practice, of the limited sphere of the executive officer is essential to his highest efficiency and best service to the community.

4. *Attention appears to be concentrated on the machinery of executive government to the comparative neglect of the at least equally important machinery for deciding policy.*

A large amount of thought and practical effort is manifestly being devoted towards devising that machinery of local government which will yield the best results in the prevailing conditions, but most of this attention appears to be directed to executive machinery. Its fitness for this purpose constitutes, I imagine, the chief claim of the city manager form of government, and great is its claim, and rightly so, in this respect.

The machinery for determining policy is, however, at least equally important, even more important, some might say, because more fundamental.

I am well aware that this field is by no means being wholly neglected—the small council, election of councillors or commissioners by the whole city or at least by very much enlarged wards, proportional representation, these and other devices are advocated, and sometimes adopted, to secure a legislative body of high calibre and wider views. But it is the executive part of the machine which, for the moment at any rate, appears to arouse most interest and to receive most attention—largely, no doubt, because a new star of promising beneficence, the city manager, has appeared in that part of the horizon.

We in this country would probably be inclined to say that, if the choice had to be made (fortunately it need not), of the two we should first concentrate on getting the best machinery for policy; but that is partly perhaps because of our sense of security on the executive side, in possessing so excellent a municipal service.

5. *The absence of any central control or co-ordination of municipal work is in striking contrast with the conditions in England and Wales, and it seems a matter for consideration whether the efficiency of local government would not be helped if the several States undertook a larger part in assisting local administration.*

I do not suggest that the conditions in this country are necessarily adapted for the States or indeed that our system is not open to improvement. But it is manifest that, in the multitudinous and far-reaching activities of local authorities at the present day, there is ample room for wide co-operation between central departments and local authorities, the more so that distances become more and more shortened and communities live less and less to themselves alone.

It is significant that municipalities in this country are not subject to the narrow taxing limits which are sometimes thought necessary in the States, nor are they so hampered in their borrowing powers. This wider range of freedom arises in part at least from the existence of central departments which exercise some general, and friendly, supervision.

The system of grants-in-aid, now gradually raising its branches in the States, which has already grown into a huge bay tree in this country, with many things in its shadow, must inevitably lead to closer co-operation between central departments and local authorities. But quite apart from this particular cause, matters of local administration are increasingly becoming not matters solely, however emphatically they may be primarily, of local concern. The state must take a hand, remembering always, however, that the worst service is interference which kills local spirit and local initiative.

Among the chief services which a central department can render is that of friendly help and guidance, and, judging by the activities of the department of commerce under Mr. Hoover, this feeling is finding deep root even in the federal government in the States. Any central department which is in touch with hundreds of local authorities up and down the country, sees their work, knows of their experiments and the results, is in a position in its daily work to pick the brains of the best municipal officials up and down the land, should accumulate a store of information which, placed freely at the disposal of local governing bodies through competent officers, cannot but be of inestimable value for local administration.

6. There are many other matters on which I am tempted to touch, particularly that all-important question of the real live interest of the electorate, a problem which confronts us here, but far more difficult in the States, with its mixed city populations; also the striking part played by voluntary organizations in municipal enlightenment, especially the various research bureaus, to which, not having just that need, we have no counterpart.

I have scratched only a few small scattered patches on the wide field of local government. I could have filled many pages with praise of many excellent things done—of zoning (one of my pleasantest recollections is being shown by Mr. Bassett round the district of Flatbush which has grown up under the zoning law of New York), of the many admirable boulevards, of the many pleasant parks, of the control of the tempestuous traffic, of the admirable lay-out of many estates, of smoke prevention. But I must ask my readers to take all these praises for granted, as also mention of the things which we can profitably learn from municipal effort in the States; I have restricted myself in brief space to what, I gather, is chiefly desired, some constructive criticism—which is given with much reserve.

WHAT ONE SMALL CITY HAS DONE

STRATFORD, CONNECTICUT, UNDER THE TOWN MANAGER FORM OF GOVERNMENT

BY NESTOR LIGHT

The story of steady progress of a New England city of 15,000 population during less than three years of manager government. :: ::

THE Stratford town government which was displaced by the city manager form in 1921 was of venerable lineage. No lover of his country can fail of a certain pride in the town government of New England. In its public meetings many statesmen gained their first lessons in government and laid the foundation of their success in life. It was simple and rudely efficient; plain men understood it and worked it. Because it was so adaptable it was the means of easily organizing new communities for self-government. But it has its weaknesses, which promptly appear as towns develop into cities. Experience has shown that it easily lends itself to the ways of grafters and embezzlers. It is a system that makes a board of three selectmen not only the executive of a municipality but also its legislature. Moreover, as in Stratford, the selectmen registered their ordinances in their own private records, if anywhere, and took them with them as they passed out of office. The same was true of their accounts.

MONEY SCARCE

The town manager government started, however, with certain handicaps. The town was like some patients that consult a physician; it had so many symptoms it was difficult to decide where to begin. It had all kinds of needs and no money with which to meet them. And just then the financial slump struck it. A program of economy was strictly necessary. But it had the backing of a fine electorate, made up partly of the old stock of the town, which had a long record of successful and often distinguished sons, and new stock recruited from the industries of Bridgeport, people of intelligence and ability, and what is more, a sincere desire to see the town well governed and progressive.

With little delay the new government got under way and began scoring both in things done and in the ways and means of doing them. The streets and roads of Stratford still show a backward condition due to lack of planning of the government and lack of public spirit on the part of property holders. But improvement since the new government began to function is more and more noticeable. It was understood at last that Stratford was destined to a great expansion in the future as an industrial community. Already a goodly number of Bridgeport industries and two national corporations had settled in the town. Plainly others were coming. A planning board was soon appointed, composed of the best engineering ability of the town. Without cost to the town the board labored conscientiously, in close cooperation with the town manager and the council, to plan for the future.

The town was zoned without great difficulty, a thing still impossible in larger municipalities. Residential districts were deliminated and reserved from encroachment. Business now may know where it can and where it cannot locate. Light and heavy manufacturing districts are distinguished. Some portions were reserved for parks. The "rude forefathers of the hamlet" never dreamed of the possible growth of the town. They had on their farms all the beauty and breathing places they needed, but to-day parks are essential to the health and well-being of an industrial population. Suitable building construction only is now permitted in each district. This protects the property holder from encroachments of buildings belonging outside the zone. Probable future arteries of traffic were given consideration. As many as four streets had claimed the same name. This was remedied. Where as many as four names were given to separate portions of the same street, one name was chosen to cover the street.

But few streets had been surveyed and profiled. The new administration has surveyed, profiled and established by ordinance a legal grade for each of the principal streets. The records are on file so that any resident may obtain on short notice the street line and grade for a sidewalk or curb. Thus a much neglected public service has been rendered. To see the great thoroughfares that mean so much for the constant traffic that passes over them and that show either the dignity of the town or its slackness and inadequacy is to feel at once the importance of this great accomplishment. Curbs and grades in the town, have generally been given more attention, to the public benefit. Building lines have been established so as to prohibit the freak builder from placing his structure too near the street lines. This insures uniformity in the location of buildings on any street and conserves its contour. Following assured lines of progress, sidewalks to the number of approximately five miles have been ordered laid. Unfortunately too many residents of Stratford have been content to walk on sidewalks furnished by their neighbors, refusing to build for themselves. The town is hoping that, under the leadership of the new government, civic pride will be awakened so as to carry the building of sidewalks much farther. A sidewalk is at once a civilizer and an evidence of civilization. It protects and beautifies a residence as well as facilitating business and social intercourse. Certainly great progress has been made and is in the making.

EMPHASIS ON STREET IMPROVEMENT

Our versatile town manager plans largely for the town welfare, rules it, oversees its finances, but especially has elected to look after its roads, turning his engineering ability directly upon the practical problems presented. First of all let it be noted, the town is so situated, being on great lines of travel, in an industrial commonwealth, and furnishing links between New York and all New England almost, that there is an incessant hunger in it for new and improved roads. This the manager is constantly endeavoring to satisfy. The roads have been classified. Some are new and can receive but little attention others are of great and permanent value. An attempt is being successfully made to meet the need according to its greatness. To build good roads requires good workmen. Simple proposition, but would it not be easy to find hundreds of towns that violate it? Mr. Hunter has an organized body of workers. Strange words these in town road building. No, not a mob of loafers leaning on their hoe handles who can vote and whose votes must be forthcoming in the next election! Yes, a bunch of men who work for the town as efficiently as for a private business. A citizen of the town watched them work not long ago and then turned to a neighbor with the rueful remark "I wish I could get men to work for me like that." But in the face of urgent need and a labor shortage something more was needed, labor saving machinery to add to the ability of the workers. Road making machinery has been purchased, steam roller, tractor and other helps. The result has been miles of such good roads as have set the men of neighboring towns talking. Already the town has the best roads in its history. The forecast is for such roads as to be the envy of other towns.

Incidental to this progress and the fact that building homes never ceases in Stratford the building code has been revised and brought up to date as respects construction, plumbing and sanitation. Stratford has the opportunity to shut out the collapsible building. Something also can be done to hold in check the unsightly and the unseemly.

Attention has been given to fire prevention and fire fighting. The fire department has been required to inspect two or three times a year all public and semi-public buildings to see that no fire hazards exist, such as collections of rubbish or other inflammable substances, gasoline tanks, matches and the like. This reduced the loss by fire by about $65,000 the first year. A new modern fire truck at a cost of $12,000 has been purchased as the main reliance in fighting fires. This gives chemical help for small fires, high pressure pumping engine for larger ones and a combination hose truck. It is highly efficient. The town is looking forward to a fully equipped modern fire fighting plant equal to the severest demands.

The drainage problem of Stratford is most important. The town is in the water shed of the Housatonic River. The region has a heavy rainfall. In parts the level of the land is but little above that of the river; in others it rises to a comparatively high altitude. Sudden down pours of rain have been wont to choke the drains. Due to parsimony and lack of vision the drainage of the town had been neglected. The new government took up the matter quite promptly. A topographical map was secured and enlarged; on it the water courses and runways are noted by districts. A comprehensive plan of draining the town was mapped out. Now runways and culverts are laid down to meet present and future demands. As new streets are opened and as areas now sparsely occupied increase in population, the drainage will be such as to meet the demand no matter how great. The importance of this in facilitating the growth and comfort of the town and in conserving the health of its citizens can hardly be overestimated.

BUDGET SYSTEM HELPS

On the financial side the new government began to score soon after taking office. A new and modern system of accounting was instituted. By another move the town was put on an annual budget. With total assets of $2,699,915, with total property of $1,793,255, with annual receipts around $130,000, with total expenditures around $460,000, with salaries, expenses of departments and bonded debt to finance, a budget is of great value. The first one was tentative; it drew criticisms and suggestions which were all carefully considered before adopting it. Now it is an annual feature of the government. One of the most constant criticisms of the old government had been political assessments; favoritism in collecting taxes, mistakes, payment of political debts, conferring favors to obtain future influence and sway elections. Both on that account and for its own information and protection the new government determined upon an altogether new assessment. For this they employed the Manufacturer's Appraisal Company. This is a large concern that employs a corps of experts. They made an impartial and scientific appraisal of all the real estate of Stratford. A card index of each piece of property is now on file at the Town Hall. In case of dispute all the data is there for consultation and comparison with other property. This is giving increased satisfaction. Those who claim mistakes are satisfied more and more easily. Meanwhile the grand list of $18,500,000 receives general acquiescence as a basis of financing the government. Naturally, valuable results were soon in evidence. The service of the town has been increased but the tax rate has been reduced 20 per cent. This past fiscal year the total indebtedness of the town has been reduced by $118,000. The bonded debt of the town has been refinanced. The major portion of the debt was in the form of long term bonds. These have been replaced by the issue of serial bonds which insures the town against negligence in paying off the indebtedness. And as the rate is lower, there is a substantial reduction in the interest. Another result is the purchase of the real estate necessary on which to build a new town hall. The present structure has been outgrown. As the government expands, as it surely will, a new building must somehow be forthcoming. The funds for this purchase have been obtained by economy in expenditures which were less than the appropriations. Financing for road maintenance and construction has been fixed for each class according as it is of greater or less permanence.

Provision has been made by which the property owner may pay for improvements over a period of years, an installment each year.

PLANNING AHEAD

This administration has two very interesting landmarks. It has accepted the gift of the Sterling family of Sterling Memorial Hall. This is a memorial of the Sterling family and of the young men who served the nation in the War. The building is of cut stone in the Romanesque style of architecture and blends harmoniously with the Blakeman Public Library beside which it stands.

The town has bought 50 acres of park land adjoining Short Beach, which it owns, thus adding to its park system, keeping ever in view a future when parks will be a vital necessity. The intention also is to provide recreation as ability increases. There are many who are enthusiastic over the new government. Some, like the present writer, claim with confidence that the town manager form has given to Stratford the ablest municipal administration in the state of Connecticut.

THE PRO AND CON OF ANNEXATION OF SUBURBS

ILLUSTRATED BY THE SITUATION IN CLEVELAND

BY ERWIN N. GRISWOLD

Oberlin College

So many cities are face to face with the desirability as well as difficulty of annexation, that we think our readers will be interested in this special study of one city. :: :: :: :: :: :: :: ::

LARGE cities invariably have suburbs. Frequently these suburbs are continuations of the city itself and it is almost impossible to find the line of separation. Any man's interests are at first glance practically the same whether he lives in city or suburb. And yet these suburbs are politically entirely distinct from the city. The question soon arises when city and suburb have grown together and to considerable size: Why not join these suburbs to the city, and thus consolidate administration, lessen expense, and add to the size, commercial wealth and prestige of the city?

In Cuyahoga county, Ohio, there are now three large cities and numerous smaller ones. By far the greatest of these is Cleveland, with a population of over 800,000. But there are two major suburbs, Lakewood, with a population of about 60,000, and East Cleveland, numbering over 40,000 inhabitants. This paper will be concerned with the question of the annexation of East Cleveland to the city of Cleveland.

Ever since Cleveland grew out to East Cleveland's boundaries, there has been agitation to annex the suburb to the city. The matter has come to a vote but once. On November 8, 1916, East Cleveland defeated annexation by a vote of 1,591 for and 2,755 against. For a while the matter lay dormant, but in a few years consolidation was again urged, and there is now much agitation and sentiment in favor of joining the two municipalities.

REASONS ADVANCED IN FAVOR OF ANNEXATION

Annexation has in general been urged by the citizens of Cleveland. The press of Cleveland which circulates as much in the suburb as in the city itself has been especially strong in its support of annexation. The Cleveland *Plain Dealer*, in August, 1920, printed daily for over two weeks a different reason in favor of annexation in connection with a coming annexation election in Lakewood and West Park, two of Cleveland's western suburbs. The interest of Cleveland in the annexation of its suburbs is largely to increase the size and prestige of the city. Cleveland wants to pass Detroit in the next census.

The reasons actually advanced in favor of annexation may be divided into eight classes. They are put forward by the people and press of Cleveland and by many of the people of East Cleveland to convince the suburbanites that East Cleveland should be merged with the big city.

First, say the annexationists, the existence of East Cleveland as a separate city is illogical and irrational. The two cities are different in no way except politically. Annexation means genuine Cleveland citizenship to every resident of the suburb, and a larger, greater, metropolitan citizenship to those already in Cleveland. Citizens of East Cleveland have their offices in Cleveland; they do their buying in Cleveland. Why should they not join in Cleveland's government?

Second, the annexationists attempt to appeal to the sense of justice of the suburban people. East Clevelanders use Cleveland's streets far more than Clevelanders use East Cleveland's streets. Cleveland has large parks, and beaches, and zoos, and libraries, which are maintained at Cleveland's expense, but which are enjoyed by all including the people of East Cleveland. Should not East Cleveland join with Cleveland to share the expense of maintaining the benefits she enjoys?

A *third* reason urged is in connection with water rates. The suburbs now buy their water from Cleveland at wholesale rates which are higher to begin with than the rate which Cleveland charges its residents. If annexed, all residents of East Cleveland would get water at the same rates charged in Cleveland.

A *fourth* reason advanced for annexation is that the suburbs will be assured of better and less expensive garbage, rubbish, and sewage disposal. Cleveland has recently spent much money in connection with a reduction plant and it is claimed that annexation would mean that the suburbs would share with Cleveland the advantages of this plant.

Fifth, promises are made that if the suburbs are annexed restrictions designed to preserve the suburbs as primarily residential districts will be preserved. Zoning ordinances, it is said, will be retained in effect, and the suburbs can maintain their essentially residential character.

A *sixth* reason urged is that in Cleveland only about 15 per cent of the taxes raised are levied on homes. Cleveland has large business enterprises which are made to bear the greater part of the burden of taxation. Thus it is claimed that Cleveland has superior ability to finance schools and municipal enterprises of every kind without placing undue burdens on the home owner.

As a *seventh* argument annexationists promise East Cleveland representation on Cleveland's council. Under the old mayor and council system East Cleveland would have become a ward in Cleveland, and under the new city manager charter with proportional representation East Cleveland would share in the election of councilmen and would have one or more members in the Cleveland council.

Eighth and finally, it is contended that the suburbs would gain by becoming a part of Cleveland's great school system. Cleveland has large high schools, offering many and varied courses, and children of East Cleveland would be allowed to profit by these advantages were it annexed to the city.

REASONS ADVANCED AGAINST ANNEXATION

The anti-annexation sentiment is entirely in the suburbs and consequently it does not receive the publicity from the Cleveland newspapers that is accorded to the pro-annexation views. In general there are two very simple reasons advanced by those who favor East Cleveland's remaining a separate city. They are, first, that they fail to see that anything would be gained by the people of East Cleveland by annexation, and second, that the residents of East Cleveland would lose a great deal by being annexed to Cleveland.

The arguments listed above of those who favor annexation are easily disposed of by the suburbanites:

First, actual Cleveland citizenship for each citizen of the suburb is of little or no value, say the people of East Cleveland, as long as they are free to come and go and do business in the city.

Second, East Clevelanders say that there is nothing unjust in the existing relation of the suburb to the city. East Cleveland has a large park with athletic fields and a swimming pool which, it is observed, are used quite freely by Clevelanders. The suburban people may make their money in Cleveland, but they spend it there too.

Third, the question about water rates is said to be of very little importance, as residents of East Cleveland have to pay very little more for their water than do the residents of Cleveland, and this is made up by taxes assessed in Cleveland to pay for improvements to the waterworks system.

Fourth, East Clevelanders laugh at the claims of advantages to be gained through annexation in connection with garbage, rubbish, and sewage disposal. It is well known that Cleveland has in the past given consistently poor service in these matters.

Fifth, the fifth claim of the annexationists does not promise any advantage to East Cleveland, but merely gives a feeble promise that an already existing situation will be maintained. To promise that East Cleveland's zoning laws will continue in force does not offer any advantage to East Cleveland which it does not now have as a separate city.

Sixth, in spite of the great wealth and large manufacturing and industrial interests in Cleveland, taxes in the city are not perceptibly lower and Cleveland's indebtedness is enormous. Annexation to Cleveland would mean no lower taxes and it would mean that East Cleveland would have to shoulder a share of the burden of paying the interest and principal of Cleveland's huge bonded debts.

Seventh, East Cleveland sees readily that it would lose in representation by being annexed to Cleveland. It already has the commission-manager form of government, and where it now has five members on its own commission it would have perhaps not more than one on a Cleveland council with a total membership of twenty-five, and even that one would not be guaranteed under proportional representation. East Cleveland now has in its own government one representative for every eight thousand of its population; if it were annexed there would be but one representative for forty thousand.

Eighth, as to educational advantages, East Cleveland feels quite sure that it would lose by annexation. It now has six elementary schools and a fine large high school and technical school. Cleveland schools are crowded, and the Cleveland school board is forced to use temporary, portable structures for the instruction of many children, while East Cleveland schools, though full, are not overcrowded. It is quite probable that after annexation, Cleveland children would be transferred to the East Cleveland schools, and that much of East Cleveland's fine equipment would be distributed to various other parts of the city.

EXPERIENCES OF OTHER SUBURBS

To what extent opposition to annexation is justified may in a measure be determined by the experiences of former suburbs which have already been annexed to Cleveland in the course of its growth. In 1910 the city of Collinwood was annexed to Cleveland. Collinwood is east of Cleveland and just north of East Cleveland. At the time of its annexation Collinwood had large and adequate schools. Now the school children of Collinwood are housed in dozens of sheet-iron, portable schoolhouses. In November, 1922, West Park voted to be annexed to Cleveland, and in January, 1923, it became a part—Ward 33—of Cleveland. Before its annexation many promises were made to its citizens, similar to those now made to the people of East Cleveland; since its annexation very few of these promises have been fulfilled. West Park was promised adequate street car service for the same fare as that paid by Clevelanders. West Park is now paying nine-cent fare and has a car every eighteen minutes though it is a part of the city of Cleveland. Last May the Cleveland council asked the Cleveland Railway Company to extend service to all sections of the city, including West Park, at the city rate of fare, six cents, but the railway company refused to do so. West Park's schools had, at the time of annexation, fine equipment and excellent teachers. Immediately after annexation, much of the equipment and many of the teachers were transferred to other schools in Cleveland. All this was in defiance of pre-election promises, but West Park's one representative in the council was unable to prevent it. East Cleveland's fears appear to be warranted by the experiences of other suburbs; it does not desire to be annexed to Cleveland, and it is probable that it will be a long time until there is such a desire.

SOLUTIONS OF THE PROBLEMS

And yet as the two cities grow some form of consolidation of their political administrations will be necessary. East Cleveland cannot, to the advantage of all concerned, continue as a separate city when Cleveland has entirely surrounded it. Two solutions of this problem have been advanced. One is the city-county merger plan, and the other is the borough plan, similar to the system in use in New York City.

The city-county merger plan, urged by a group of Cleveland annexationists in 1920, provides that any county in the state containing a city with over 100,000 population may merge the city and the entire county into one municipal organization. In other words, it virtually provides for the annexation of the suburbs to the city, for the city would, of course, dominate any such merger. This plan, however, was opposed because it amounted to forcing the suburbs into the city without their consent, and when preparations were made to introduce a bill into the legislature for the purpose of giving it legal sanction, the idea soon lost many of its supporters and was eventually dropped because of the manifest injustice it would work on the suburbs.

More favor has recently been shown to the borough plan as exemplified by the system in use in New York City. Under this plan all suburbs would be annexed to the city, but the city would be divided into boroughs and each borough would look after its own local affairs. Thus the city of East Cleveland would become the borough of East Cleveland in the city of Cleveland. Each of the suburbs would thus maintain its own individuality, yet each would be a real part of the city of Cleveland.

The people of East Cleveland would look with great favor upon a plan which would enable them to co-operate completely with Cleveland but at the same time maintain their own individuality and self-government. At present the suburbs and city are co-operating through regular meetings of their various executives. But such co-operation is of necessity of little avail and little is accomplished in these meetings of mayors and managers. It is probable that the solution of the problem of the consolidation of the city and its suburbs lies in the adoption of some form of a borough plan of government.

While this paper has endeavored to show some of the problems involved in the question of the annexation of East Cleveland to Cleveland, it is believed that the specific problems here presented are in a large measure common to many other large cities. Not only does Cleveland have its East Cleveland and also its Lakewood, but Chicago has its Evanston and its Oak Park, Boston has numerous large suburbs, and many other cities are confronted with the same problem. In conclusion, the writer is of the opinion that some form of the borough plan will have to be adopted in order to consolidate contiguous cities and at the same time insure justice to the suburbs.

THE INDIANA SCHEME OF CENTRAL SUPERVISION OF LOCAL EXPENDITURES

BY PHILIP ZOERCHER

Member, Indiana State Board of Tax Commissioners

Indiana has gone further than any other state in the way of central administrative control of local finances. :: :: :: ::

DIFFERENT remedies have been applied in controlling public expenditures. Some advocate the fixing of a limit to the tax rate; others favor the idea of limiting the expenses to the amount spent the previous year plus a small per cent of increase for the current year, and still others favor the plan of controlling local expenditures by means of the budget system and giving the taxpayers a right of appeal from all bond issues and tax levies to a centralized board freed from local influences.

The experience of Ohio in dealing with a fixed limit to the tax rate is sufficient to cause every student of taxation to doubt the efficacy of that as a proper remedy to control public expenditures. Limiting the expenditures to the previous year, plus a certain per cent of increase, has some merit which can be better explained by the taxing officers of New Mexico.

The plan that presents a system flexible enough to provide sufficient revenue for all departments of government and yet insure proper control thereof is that now in force in the state of Indiana. Governor Silzer in his first annual message to the legislature of New Jersey well said:

> Experience shows us that the spending agencies will not check themselves, and that mere laws attempting this are circumvented. So long as municipal and other officials will spend we must pay. This is the root of the evil. Since they will not check themselves, we must do something to check them. In searching for a remedy, we must always have in mind the elemental principle, *i.e.*, that if we would reduce taxes we must keep down expenditures.

The statement that "spending agencies will not check themselves" was fully demonstrated in the year 1920 in the state of Indiana. The new tax law of 1919 became effective March 11, 1919, and during the first year all bond issues and tax levies were under direct control of the state board of tax commissioners. Property valuations were increased from $2,233,761,065 to $5,749,258,800. The total taxes in the state for all purposes were increased from $68,367,035 the last year of the old law to $75,602,477 the first year under the new law. The state board on account of its powers over tax levies reduced levies amounting to $11,617,037 in taxes. The legislature was convened in special session in July, 1920, and the power over bond issues and tax levies was taken from the state tax board as a result of false propaganda against the law by contractors, money spenders, and others.

The tax levies in 1920 were fixed by local officers with the check removed and taxes increased in one year $36,000,000. This cost of "home rule" was so vividly impressed upon the taxpayers that the legislature of 1921 promptly amended the law and gave the state tax board authority over bond issues in excess of $5,000 and all tax levies on petition of ten or more taxpayers.

BUDGET SYSTEM COMPULSORY

The section in reference to tax levies provides that the proper legal officers shall prepare a budget and set out in detail what is contemplated to be spent the coming year, and that ten days' notice by publication of such budget shall be given. The taxpayers are invited to be present and may be heard on such budget and comtemplated levy. The taxpayer is thus given due notice what amount is asked and the purpose for which the money is to be used.

The supreme court of Idaho in deciding the *Graves* v. *Berry* case held that the officers are limited to the amount set out in the budget and for the purposes therein designated. If it were permitted to divert the amounts set out in the budget for other purposes than those designated it would be an easy matter for the officers to set up items that would meet public approval and later divert these for purposes that would not meet public approval. Such action would defeat the very purpose of the budget law, and it is refreshing to see how clearly the Idaho court pointed out that the taxing officers cannot divert funds in that way.

Every department of government, when its budget is fixed and the tax levy determined, must prepare to do its business within the amounts set up in the budget. The budget is the yardstick beyond which the official cannot go. It is surprising how many departments will serve the public and live within the amounts designated. It will encourage economy on the part of every official when their slogan is "Live within the budget." Amended Section 200 of the Indiana Tax Law contains the provision concerning the budget and tax levies.

The form of the budget also sets out the amounts spent the three preceding years and balances on hand, so that the taxpayers know whether the tax burdens are increasing or decreasing, or if the officers are endeavoring to build up unwarranted large balances.

TAXPAYERS MAY OBJECT

In September, 1923, an appeal was taken by taxpayers in Carroll county. When the budget was published it showed that the county officials were asking an increase of four cents in the county levy. When the taxpayers appeared before the county council at the time the levy was fixed, they were ignored and no consideration shown them. At the hearing on the appeal before the state tax board it was shown that the county had on January 1, 1923, a balance in the general fund of $192,000 with a budget of only $80,000. As a result of the hearing the entire county levy was wiped out for the year. The budget form only calls for a working balance to run the county six months, but does not contemplate such large balances as was shown in that case.

If objection is made to any budget item or to the amount in the budget, and the local officers at such hearing do not give proper heed to the demands of the taxpayer, the taxpayers, ten or more, may file a petition with the county auditor and demand that the budget and tax rate be reviewed by the state tax board. A hearing is then held by the board in the county where the taxing unit is located, and after such hearing it has authority to approve or reduce the tax levy—no increase can be made by the state tax board. The board's action on such levy is final.

The hearings are informal. The taxpayers are not required to employ attorneys to represent them at the hearing. There is no objection when attorneys are employed, but the idea is that the taxpayers should feel free to take the appeal and not be compelled to incur the burden of paying attorney fees when an honest attempt is made to reduce the tax burdens. All that is required of the taxpayers is that they appear at the hearing and in their own way give the reasons for objecting to the proposed tax levy or bond issue as the case may be.

No costs attach to any of these hearings. The law does not provide for witness fees; hence no costs can be taxed against the taxpayers in taking any of these appeals. The jurisdiction of the state tax board is limited to approving or reducing tax levies and to approving, reducing, or denying bond issues. In no instance can there be any increase in tax levies or bond issues as a result of any appeal.

In 1921 the state board reviewed tax levies in forty-two taxing units and made reductions in thirty-nine taxing units—the reduction amounting to $1,254,448.

In 1922 the tax levies in seventy-four taxing units were reviewed by the tax board and reductions made in forty-six taxing units amounting to $1,034,572.

In 1923 the tax levies in thirty-seven taxing units were reviewed and reductions were made in twenty-five taxing units amounting to $1,874,070.

There are more than two thousand taxing units in the state of Indiana, and it can be seen from the foregoing that all the taxpayers have not availed themselves of the right given by the law. A state taxpayers' association has been recently organized, and has created a very healthy sentiment in favor of taking advantage of all the rights afforded by the law to keep expenditures within proper bounds.

CONTROL OVER BOND ISSUES

If the remedy would only apply to tax levies the problem would only be partially solved. Amended Section 201 of the Indiana Tax Law refers to bond issues and provides that whenever the proper officers of any municipal corporation contemplate the issuing of any bonds or other evidences of indebtedness in amounts in excess of $5,000, two weeks' notice of such determination must be given the taxpayers. Such notice must show what the money is to be used for and the assessed valuation of the municipal corporation and its total indebtedness. The notice also contains the information that ten or more taxpayers, other than those who pay poll tax only, who feel themselves aggrieved by such determination may appeal to the state board of tax commissioners for further action by filing a petition therefor with the county auditor setting out that such contemplated improvement is unnecessary, unwise, or the cost thereof is excessive.

Under the law as passed in 1919, all bond issues had to be submitted to the state tax board. This power conferred upon the state board was questioned in the courts. The supreme court of Indiana in the case of *Van Hess* v. *Board*, 190 Indiana 347 (354) held:

> Questions of the expediency of improving this particular six miles and a half of highway, at an expense of $30,000 per mile, and paying for it out of the taxes to be collected in a certain number of years, instead of using those taxes to improve or to maintain some part of the other hundreds of miles of highways in the county, or to pay for schoolhouses, or bridges, or a courthouse or jail, or something else for public use, and instead of collecting a less amount of taxes, must be decided by somebody. For there is a necessary limit to the amount of taxes that can be collected in any one year, and a limit to the amount of taxes that ought to be levied, even though it might be possible to collect them. And whatever part of such taxes are used to pay for this highway cannot be used for other public purposes, nor can the people use for private purposes what they are compelled to pay as taxes. . . .
>
> Which of the different possible improvements that would be of public utility shall have the preference, or whether any of them shall be undertaken at a given time, are not judicial questions, but are such questions as may be referred to a public board charged with duties in the assessment of property and levy of taxes. The fact that the state board of tax commissioners does not possess judicial powers is not a reason why it could not be empowered to decide that question. Boards having to do with the levying of taxes and the expenditure of money raised by taxation must always exercise a discretion as to the general purpose for which each tax should be levied and the amount to be levied for each of such purposes, and as to the nature and amount of each specific expenditure from any general fund.

This opinion was given concerning the law as passed in 1919 and before the amendment of 1921 was adopted. Since the amendment of 1921 the state tax board has nothing to do with any bond issues, except when ten or more taxpayers file their petition asking the board to pass on any bond issue. This removes the objection made in 1919 of a centralized board interfering in local matters.

LOCAL TAXPAYERS MUST TAKE INITIATIVE

It is only when the local taxpayers themselves have some difference as to the wisdom of spending the money proposed by the bond issue and ten or more of the taxpayers file a petition that the state board acquires jurisdiction. The fact that a bond issue may be appealed to the state board has in itself tended to keep down the prices of improvements in many cases. There have been many instances in the past in which it seemed that contractors have gone on the theory that it was perfectly proper to prey on the public and "get while the getting was good."

There was one case where it was proposed to issue bonds in the sum of $570,000 for the building of the Lima Road in Allen county. A petition was filed with the county auditor asking that the same be reviewed by the state board. After the petition had been filed the contractor voluntarily appeared before the board of county commissioners and asked that the amount be reduced $131,000. After a full hearing by the state board, the bond issue was disapproved. The county commissioners advertised for new bids, and re-let the contract for $201,000 less. The original contractor filed suit enjoining the commissioners from reletting the contract. It was the contention of the tax board that the contract was not a completed contract until the bonds were approved or the time for taking the appeal had elapsed. The local court sustained the position of the board and the contractor appealed the case to the supreme court of Indiana, and that court affirmed the decision of the lower court.

We take the following from the opinion of the supreme court:

> The court holds that the alleged agreement entered into between appellants and appellees March 29, 1921, was tentative only and contingent upon the action of the board of tax commissioners upon the petition objecting to the issue of bonds, and, such boards having granted the petition and disapproved the issue of the bonds, that such agreement did not ripen into a consummated contract. It follows that the provisions of section 201 of the Tax Act as amended became a part of the tentative agreement entered into by the appellants and appellees on the 29th day of March, 1921, as though written therein at full length. Therefore the alleged contract in question was not a binding, valid contract which appellants could enforce, notwithstanding provisions of section 201 of the Tax Act as amended, and that the action of the board of county commissioners in April, 1921, pretending to cancel said agreement, was of no force or effect, for the reason that the action of the state board of tax commissioners in disapproving the bond issue was as complete a rescission of the unconsummated contract as though the contract itself had had written therein a provision that it was subject to the action of the state board of tax commissioners, if invoked according to law, and void, and of no force and effect, provided such tax commissioners disapproved the proposed issue of bonds determined upon by the board of commissioners. The parties to the agreement were not legally competent to enter into a binding contract except in compliance with amended section 201 of the act concerning taxation.[1]

Another instance was in the building of the White and Fromme roads in the city of Terre Haute. The first hearing on the petition of the taxpayers against the bond issue was held in November, 1922. At the hearing it was shown that the taxpayers originally petitioned for an eight-inch slab cement road to be built according to state highway approved specifications. It was shown at the first hearing that after the roads were approved by the board of county commissioners the brick interests took the county commissioners, viewers, and county engineer on a junketing trip to Kansas City, Missouri, and when the report of the viewers was filed the specifications were changed from an eight-inch slab concrete road to a brick road. Evidence further showed that this would increase the cost of the road from fifteen to eighteen thousand dollars per mile. The bonds were disapproved by the tax board. Thereafter the board of county commissioners made another entry to issue bonds, and again a petition was filed by the taxpayers asking that the same be reviewed by the state board. Another hearing was held, and the issue was disapproved a second time. Every effort known to man was made by the contractor to control the action of the board. The Terre Haute Chamber of Commerce, Kiwanis Club, Rotary Club, the Banks of the Wabash Club, all adopted resolutions favoring the bond issue, and political pressure was exerted, but without avail. It came up a third time, and it was again denied. Thereafter, the specifications were changed to comply with the original petition filed by the taxpayers, and the contract was let a short time ago for $65,500 less. The contractor has since admitted that the board was right in its action.

In Newton county a bond issue was appealed to the state board providing for the building of three gravel roads. Information secured by the board was that the price was entirely too high, and the bonds were disapproved. The matter was brought up a second time and disapproved again. The county auditor was notified that the tax board would disapprove it as often as it came before it until the county commissioners would re-advertise and receive new bids; the tax board felt certain that the price was too high. This, of course, was before the decision of the supreme court in the O'Connor case, and the contractors had not yet been convinced that when the bonds were disapproved that terminated their contract. In that county the commissioners advertised for new bids, and the contract was let for $32,099 less on three small gravel roads.

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[1] *O'Connor* v. *Board*, 142 N. E. 858 (861).

In October, 1923, the school city of Indianapolis determined to issue bonds in the sum of $1,650,000 for the building of eight new school buildings. Ten or more taxpayers filed their petition asking for a review by the state tax board. A public hearing was had, and the board found that there was a necessity for the new school buildings, and entered a preliminary finding that the school city should adopt proper plans and specifications, advertise for and receive bids, and that if proper bids were received bonds would be approved. The school city accepted the aid of the engineer of the state tax board, and plans were prepared and in proper time bids were received. The contractors knew that proper bids must be filed; that all bids would be carefully scrutinized, and when this was done it was found that bids for the eight new buildings, all complete, were for $436,000 less than the total amount asked for. Nothing like that had occurred in the city of Indianapolis for many years. The buildings have since been completed, and are a credit to the city.

Many other cases of similar import might be given.

Taxpayers in almost every county in the state have learned that the right given them under the law to appeal from local tax levies and bond issues has been a material aid in keeping down expenses and stopping the reckless expenditure of money. The question of taxation will never be solved until the taxpayers have some voice in controlling expenditures and some effective methods in putting it in force.

Candidates for office are very liberal in making promises that they will reduce taxes if elected to office. No sooner do they get into office, when it is quite convenient to forget the promises made, and it is easier to yield to the demands of those who are always ready to urge improvements whether needed or not.

Many unjust charges have been made against the Indiana Tax Law, but in the final analysis it has stood the test, and will continue to grow more popular with the people as they become better acquainted with its provisions. Honorable Thomas R. Marshall, in his last message as governor of Indiana in 1913, suggested the idea of having all bond issues submitted to the state board of tax commissioners.

Local taxes are always the greatest part of the taxes paid and, with the taxpayers' right of appeal on bond issues and tax levies, a wide-awake citizenship can practically control its local taxes by the provisions now embodied in the Indiana Tax Law.

COUNTY GOVERNMENT IN NORTH CAROLINA

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Another article in our series on county government in typical states

To understand any system of county government, it is necessary to know something of the historical background, the theory of the system as contained in the written law, and the practical application to the business affairs of the county. In those states in which the system has remained substantially the same from the beginning, there has been a gradual development along fixed and definite lines, which may be readily understood; but where there has been a break in the system, and in many respects a complete change, a transition period and a period of adjustment must be considered in determining the efficiency of the system. County government in North Carolina belongs in the latter class, and its development may be shown by considering three different periods.

GOVERNMENT BY COUNTY COURT

During the greater part of the colonial period, and for about one hundred years after the organization of the state, the county government was under the control of the county court. This was an organization not dependent upon constitutional provision, but inherited from the old English county court, and recognized and established by statute. It was known as the Court of Pleas and Quarter Sessions, held its meetings four times a year, and exercised both judicial and administrative functions. As an administrative body it had charge of levying taxes, appropriating the public money, providing the public buildings, caring for the poor, constructing and keeping in repair the public roads and bridges, maintaining the public schools, and other duties of minor importance.

The court was composed of all of the justices of the peace of the county, with one of their number as chairman, and any three constituted a quorum for the transaction of business. At the first meeting in the year, they could, at their discretion, elect five of their number, with one as chairman, to hold the courts for the year; and this was generally done. Since the members came from different sections of the county and were supposed to be acquainted with the public needs, it was a representative body; but it was not a democratic body, in that the members were not directly dependent upon the popular vote. The justices were appointed by the governor, upon the recommendation of the general assembly, to hold office during good behavior; and this made a more or less permanent body, not affected by political changes, and subject to change only by the gradual addition of new members. It was not a salaried office, since the justices received not less than one dollar nor more than three dollars a day for the time actually in attendance upon the court. The position called for the exercise of rather high judicial and administrative powers, and hence men of prominence and of business experience were usually selected and were willing to serve. In more than one instance men who had been members of the supreme and superior courts were chosen as chairmen of the county court.

CHANGE TO COMMISSION FORM

During the Reconstruction period, in 1868, a new constitution was adopted, providing for an entirely new system of county government. A board of five county commissioners, elected by popular vote from the county at large, to serve for a term of two years, became the most important governing body, to which was committed all the administrative duties formerly belonging to the county court. They chose one of their number as chairman, and the register of deeds became the clerk of the board. In addition to this, there was a subordinate township organization, known as the township trustees, composed of two justices of the peace and a clerk. These were also elected by popular vote and had charge of the roads and bridges in the township, and could levy and collect taxes for township purposes, subject to the supervision of the county commissioners. There were justices of the peace, as before, but they were elected in each township by popular vote to serve for two years, and had only judicial powers except as members of the township trustees.

In theory, this was a democratic system, directly dependent upon the popular will, subject to short terms of service, and with a divided responsibility in the dual township and county organizations. For various reasons the plan was not satisfactory at the time. The change from what the people had been accustomed to so long was complete and sudden; public affairs were in an unsettled condition; and the new, inexperienced and irresponsible element in the voting population, caused by the recent enfranchisement of the negroes, had to be considered. The result was a change in the constitution in 1875.

By this amendment to the constitution the county government was not changed in form, but it was taken out of the realm of constitutional provision by authorizing the general assembly to abrogate the plan or change it at discretion. The first tendency was to return to the old form with some modifications. The county commissioners were retained as the governing body, in number from three to five, but instead of being elected by popular vote, they were elected by the justices of the peace of the county. The justices were elected by the general assembly instead of by popular vote, and certain duties, like levying taxes, locating public buildings, etc., were to be performed by the commissioners with the concurrence of the justices, in joint meeting for that purpose. The township organization as a separate governmental unit was discontinued, except as to certain minor duties connected with the keeping in repair of the public roads and in laying out private roads or cartways.

This plan continued in operation for about twenty years, or until 1895, when the general assembly again restored the election of commissioners and justices by popular vote, and following the franchise amendment in 1901, this has continued as the plan of government to the present time. The justices no longer have any voice in the administration by the commissioners, unless the general assembly has made some modification to meet peculiar conditions in certain counties; and the general assembly still exercises the power of appointing or electing justices of the peace in addition to those elected by popular vote.

PERIOD OF ADJUSTMENT

Having finally settled that an elective board of commissioners should be the central unit in the county government, the adjustment of that plan to meet the requirements of changing conditions in local affairs has given rise to a more or less complicated organization. It was the original idea that the whole administration should be in the hands of this central board, consisting of three or five members, but it has been the tendency to divide the duties and responsibilities by the creation of co-ordinate or subordinate boards or by transferring some of these duties to other organizations. This may be better understood by a consideration of some of the more important duties.

Taxation. The taxing power has been consistently left under the control of the commissioners, to be exercised under restrictions imposed by the constitution or by legislative enactment. For many years there was a constitutional equation between the property tax and the poll tax, which had to be observed in levying general taxes for state and county purposes, in that the poll tax should be equal to the tax on $300 of property and should not exceed two dollars; but this was changed by an amendment in 1917, fixing the poll tax at two dollars and the property tax at 15 cents on the $100 for general state and county purposes. The state levy is limited to five cents, but since it is the present policy not to levy any state tax on property, the whole amount is left for the counties. If a larger amount is required for any purpose, it is necessary to obtain the legislative consent either by general or special act, specifying the purpose for which it is levied; and if it is for other than necessary expense, the proposition must be submitted to the popular vote and receive a majority of the qualified vote. Even for necessary expense, the general assembly may require the question to be submitted to the popular vote, and in that case a majority of the vote cast would be sufficient.

For the purpose of assessing property and listing property and polls, the commissioners appoint annually, at their meeting in April, a supervisor for the county, and he appoints assistants in each township. The supervisor and assistants meet and consider plans for a uniform assessment, and when the lists are completed they meet again to compare results, and then report to the commissioners. The commissioners meet as a board of equalization to hear complaints and to adjust inequalities as far as possible. There is also a state board of assessment which is authorized to consider the reports from the counties and to revise assessments so as to obtain equality of tax burden in the whole state.

It is the intention of the law that both real and personal property shall be assessed for taxation at its actual value in money, but it is very difficult to carry out this intention. Personal property is listed each year, and the list-taker must depend almost entirely upon the honesty of the owner as to the amount and value of personal property returned, while real property is assessed every four years and remains at this valuation in the meantime unless improvements are placed upon the property. This would seem to be a reasonable plan to get an equitable valuation, and there has been improvement in this respect under a new assessment law during the last four years, but there are still many inequalities existing between adjoining counties and townships, and even in the same locality. This would necessarily arise under any system, since the value depends upon so many varying circumstances, but it is especially true where the time allowed is short, only about two months, and the compensation, about four dollars a day for the time actually engaged, is inadequate for such a difficult task.

After the reports of the assessors are made, the commissioners proceed to levy the tax upon the property and the poll, and also such privilege taxes as they are authorized to levy; the clerk of the board prepares the tax-books and delivers them to the sheriff for collection.

Contracts. The commissioners are authorized to make all contracts for carrying on the business of the county, including the appropriation of funds, borrowing money, issuing bonds, etc., and so long as it is for a necessary expense they have a wide discretion which neither the citizens nor the court can interfere with, unless it appears that there is an abuse of that discretion. If the purpose is for other than necessary expense, they can incur no expense nor pledge the credit of the county without first obtaining the legislative consent and a majority of the qualified vote. The general assembly may, however, restrict the contract power by limiting the amount or by requiring the popular vote. In one instance, the commissioners wished to repair the court-house, and the general assembly limited the expenditure for that purpose to $5,000. They made a contract and the work was done for $6,500, but the court held that the contract was invalid as to the $1,500 excess. In another instance, the commissioners wished to build a new court-house, and the general assembly required the question to be submitted to the popular vote, and it was voted down. Later this act was repealed by an act restoring the general power, and the commissioners made a contract and issued notes for $50,000 to build a court-house, and their action was sustained. Where a certain department of the county business has been transferred to another board, as in the case of roads and schools, the commissioners must make provision for raising the money, but they do not control the expenditure.

Public Roads. The construction and care of the public roads and bridges come within the power of the county commissioners, to be exercised under the general law or under some special enactment. The original plan of keeping the roads in repair was the manual labor plan. The commissioners divided the roads into sections, appointed overseers for the sections, and assigned as "hands" to work the roads all able-bodied male citizens between the ages of 18 and 45, who were required to work six days in the year or to pay one dollar a day. This duty was later transferred to the justices of the peace in the townships and still belongs to them where the plan is in force. This plan is still on the statute book, but is probably not very generally used, since it has always been considered burdensome and not very satisfactory.

The next step was to authorize the county commissioners to use the public money to employ a special road force, or in many counties to employ convict labor. This has been followed by the plan now in operation in most of the counties, the creation of a special road commission either for the county at large or for a special township or district, the members to be appointed by the commissioners, and the money for road purposes, derived from general or special taxes, is deposited in the bank to the credit of the road commission and subject to their control. The state highway commission has charge of constructing state highways through the various counties, and in this way there has been a wonderful improvement in the highway system in the state during the last few years. The county road commissions are required to act under the direction and advice of the state highway commission; and with funds raised by special taxes, bond issues, loans from the state, and federal aid, the counties are beginning to have an excellent system of county roads to supplement the state highways.

Public Schools. It was contemplated in the beginning that the county commissioners should have control of the public schools as a part of the general business of the county, and they acted for several years as a board of education. Under a later general school system of the state, a county board of education was created, consisting of three members elected by the general assembly to serve for two years. Some attempts have been made to have this board elected by popular vote, but these have not succeeded except so far as to require each political party to recommend names to the general assembly, and the boards are named from these. The county board of education elects a county superintendent of schools, who has the general supervision of the schools in the county and also acts as clerk of the board. The county board of education establishes school districts, appoints school committees, locates and builds schoolhouses, appropriates the school money, and performs all other duties connected with the public schools of the county, except in the graded schools which have their own organization. The county board and the superintendent act under the direction of the state superintendent and state board of education, and thus become a part of a more complete organization than the other departments of the county government.

The money for the support of the public schools is derived from various sources, from the poll tax, general school tax, special school tax, and fines and penalties. The funds appropriated by the state for schools is used as an equalizing fund for the counties in order to provide a sufficient fund to run the schools for six months in the year. In addition to the levy for other county purposes, the commissioners are required to levy a sufficient tax, with the amount received from the state, to run the schools for six months; and if funds for a longer term are desired, it is necessary to have the legislative consent and the popular vote. Before the county school tax is levied, the board of education submits to the commissioners a budget showing the estimated amount necessary to run the schools for the year, and the commissioners must levy that amount, unless they think the estimate is too large; and in that case the clerk of the superior court acts as arbitrator, with the right of either board to appeal to the judge of the superior court.

Elections. The commissioners formerly had the control over the election machinery in the county, by establishing voting precincts, appointing election officers, receiving returns, etc., but this duty is now in the county board of elections, appointed by the state board of elections.

There are other duties of the county commissioners in addition to those mentioned, but these are sufficient to show their general powers and the way in which those powers have been distributed.

OTHER COUNTY OFFICERS

The other county officers are elected by popular vote, to serve for such terms and to perform such duties as may be designated in the law creating them. The county commissioners have nothing to do with their selection nor with the performance of their duties, except to approve their official bonds when they are inducted into office and to see that they account for any public funds collected.

The clerk of the superior court is elected for four years and, in addition to keeping the court records, he has certain important judicial duties, as in probate matters, as a part of the superior court in special proceedings, and as judge of the juvenile court. The sheriff is the process officer of the superior court and tax collector of the county, and serves for two years. The register of deeds is elected for two years, keeps the records of deeds and other instruments requiring registration, issues marriage licenses, and is the clerk of the board of commissioners. The treasurer is also elected for two years, and has the duty of keeping the public money and paying it out under warrants from the proper authority. This office has been abolished in many counties, and the duties are performed either by the sheriff or by a bank selected by the commissioners for that purpose. The bank receives no compensation except the advantage of having the money on deposit without interest. A county surveyor and a coroner are also elected for two years, but these offices are not of very great importance. There is also a county board of health composed of certain officers of the county, with two physicians; and a public health officer is now elected by the county commissioners and the county board of education.

COMPENSATION OF OFFICERS

The best paid officers in the county are the sheriff, the clerk of the superior court, and the register of deeds, and usually in the order named. For many years these officers have received their compensation under the fee system, receiving a certain amount fixed by law for each item of work; and since they made no report of such fees, it was difficult to tell exactly what the compensation would be. It may be presumed, however, that since the officer's pay depended upon his fees, he would be reasonably diligent in collecting. The sheriff also receives a certain per cent for taxes collected, and the treasurer a certain per cent upon the money received and disbursed. In both instances the percentage is fixed by statute and is somewhat subject to the discretion of the county commissioners.

In many counties, within recent years, there has been a change from the fee system to the salary basis for the officers mentioned, and the officers are required to collect the fees and turn them into the general county funds. There is a difficulty here, however, in keeping an account of the many small fees collected and in checking up to see whether the accounts are correct; and besides, since the compensation no longer depends upon the fees, there may not be the same diligence in collecting. There can be no great degree of regularity in fixing these salaries, because the work is so much greater in some counties than in others. So far as the special statutes for different counties show, these salaries vary as follows: Register of deeds, from $1,000 to $3,000; clerk of superior court, from $1,000 to $3,500; sheriff, from $1,500 to $10,000.

The county commissioners are paid a per diem and mileage, varying from two dollars to five dollars a day for each day of their meetings, but the meetings are limited to the first Monday in each month, with two or three special meetings. They may have a called meeting at any time, but they receive no pay for such meeting. The total number of days for which they receive pay during the year would probably not exceed thirty, though a different rule may apply in different counties by special act. In some counties the chairman is made a whole time officer, with a salary varying from $1,000 to

$3,000; and in one or two counties all three members are made whole time officers at a fixed salary, with a larger amount paid to the chairman. The members of the board of education are also paid a per diem of five dollars a day and mileage, and they also fix the pay of the county superintendent upon a per diem of three dollars a day or upon a salary based upon the amount of funds disbursed. The road commissioners are paid a per diem to be fixed by the county commissioners.

ACCOUNTING SYSTEM

The county treasurer is required to settle annually with the sheriff for all the county taxes, and also with all other officers who receive public funds. The county commissioners are required to appoint one or more of their number as a finance committee to be present and supervise the settlement of the sheriff and other officers with the treasurer, and then to make settlement with the treasurer and make report to the board. The clerk of the board is required to publish annually a statement showing in full the receipts and disbursements for the year. The board of education settles with the treasurer for the school funds of the county, and a statement is published and a copy filed with the state superintendent. The road commissions are also required to publish a statement of funds received and disbursed, and a copy is filed with the register of deeds for public inspection.

In some counties a county auditor is appointed or elected, whose duty it is to audit all the accounts and to make all the settlements with the county officers; in other counties the commissioners employ special auditors or accountants for the purpose or make arrangements to have the auditing done through the state auditor's office; and a recent statute makes it the duty of the state auditor to audit the accounts of the counties once a year, and oftener if he thinks it necessary. This statute has been in operation only a short time, and probably has not been yet generally applied except in cases in which the circumstances seemed to make it necessary.

The purpose of this paper has been to give some idea of what the county government in North Carolina is, and not to discuss so much what it should be. That there are defects in it, is very true, but the same may be said of other systems. There is a lack of uniformity in organization, which may not be altogether a defect, since conditions are not the same in all sections of the state. It is not well co-ordinated, but rather loose-jointed, in that the various offices and departments are more or less independent of each other. And this suggests what may be the most apparent defect, that it is a community government without even a nominal head. No particular officer can be considered, in any sense, the responsible head of the county government. The chairman of the board of commissioners may be such in theory, but he is in fact only what his title implies, the presiding officer of the board at its meetings, and he has no duty or authority otherwise unless it has been delegated to him as the representative of the board. In the few counties which now have a whole time chairman, with definite duties prescribed, there appears to be some recognition of the necessity for such a head officer.

The compensation generally provided for the county commissioners and the board of education would seem to be inadequate for the duties and responsibilities involved. It appears to be a cheap form of government, but that often proves to be an expensive form. No question is raised as to the honesty and good intentions of the men selected for these positions, but they are often men without the experience and business training required for such duties. The short term and the popular election may make them particularly responsive to the public will, but the change which may take place every two years may seriously interfere with working out any well defined policy. While they are not strictly political offices, party affiliation is nearly always considered in their election, but there is no criticism that the office is made the opportunity for graft or political corruption. There is no definite and generally accepted plan for making reports of finances so that they may be readily understood, and in many instances it might be difficult to ascertain the exact financial condition of the county at a particular time.

While this is a commission form of government, in that it is a government by commissioners, it is far from the commission form as found in municipal corporations. In at least one county the latter form has been recognized in making the commissioners whole time officers and assigning to each one a particular department of the public work. There is a state organization of county commissioners which meets annually to discuss the various questions of county government, and this may lead to a more general knowledge of the conditions in the different sections of the state, and finally bring about a more unified and consistent plan. The county is considered only as an agency of the state for governmental purposes, and not an organization for local self-government as in a municipality; and for this reason little legislative power has been conferred upon it, except that involved in taxation, and no police power in the sense that it may pass ordinances for its internal government. This is as it should be, since there are in the state one hundred of these separate governmental agencies, all engaged in the same work and to carry out the same purpose, and it might lead to greater confusion to confer upon them any extensive legislative or police power.

The study of the history and progress of the state for one hundred years under one form of county government, and for fifty years under another form, may not show much as to the comparative merits of those forms; but it does show that a system of county government is not made once for all, like an inflexible machine, but that it is a growth and a development through the years to meet the changing conditions of a growing state.

RECENT BOOKS REVIEWED

NATIONAL GOVERNMENT AND BUSINESS. By Rinehart J. Swenson. New York: The Century Co., 1924. Pp. 461.

Professor Swenson has gathered together valuable material which will be of assistance to teachers of political science in instructing classes on the relation of the national government to business. The author's point of view is that of a political scientist, rather than that of an economist. He pays much attention to administration, constitutional questions, and legislation.

In discussing such a broad subject as the relation of the national government to business, some difficulty is presented at the start. The study of government is older than the study of business and has come to be discussed in the text books under fairly well standardized terms. With business, the terms are not so well standardized, although there are many of them. The difficulty is to know how to organize a treatise which will combine the two, government and business.

Instead of using modern business terms, the author has selected terms well known in economics, such as property, currency, commerce, and combinations in restraint of trade. Thus we have a book of quotations from the best authorities grouped around three or four political science terms and around an equal number of terms well known to economics. The net result is a book on the relation of national administration, adjudication and legislation to the subjects of property, currency, commerce, and combinations in restraint of trade.

EARL WILLIS CRECRAFT.

University of Akron.

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AMERICAN STATE GOVERNMENT. By John Mabry Mathews. New York: D. Appleton and Company, 1924. Pp. xv, 660.

This book is the result of Professor Mathews' study of state governments, extending over a number of years. He assisted in the preparation of the now famous report of the Illinois committee on economy and efficiency published in 1915, which preceded the reorganization of the administration of that state. He has observed the workings of other state governments, notably Oregon, where in 1918 he prepared a report on the state administration for the consolidation commission.

It is one of the best books on state government that has been published. Although it has been written primarily for college and university use, it should be of interest to public officials and to general readers. For popular reading the style may be somewhat tedious in several places, due doubtless to an effort on the part of the author to include a great many detailed facts. Nevertheless, the book contains an up-to-date statement of the main problems of state government. While the author in general expresses a conservative point of view, his treatment is always fair—the pros and cons of important questions being fully stated.

Professor Mathews approaches the discussion of state government largely from the historical angle. The first two chapters are devoted to a discussion of the place of states in the Union and the development of state constitutions. Subsequent chapters treat the powers and limitations of state governments, popular control in states, the legislature, the executive and administration, and the judiciary. The concluding chapter on local governments and the state's relation to them is extremely sketchy. More attention might have been given to state administrative functions. The book contains a general treatment of those functions dealing with taxation and finance, regulation of industry and labor, education, public welfare, and law enforcement. Such important state functions as agriculture, conservation, and public works are not treated. If these functions had been discussed in one or two chapters, the book, in the opinion of the reviewer, would have been improved.

The appendices to the volume include reprints of the National Municipal League's Model State Constitution with explanatory articles, an explanation of the Hare system of proportional representation, R. S. Childs' *The Short Ballot*, the author's *Administrative Reorganization in Illinois*, H. Harley's article on Criminal Justice, H. W. Dodds' *Thumb-nail Sketches of the Four Principal Types of City Government, The Story of the City Manager Plan*, and R. S. Childs' *Ramshackle County Government.*

A. E. BUCK.

Non-Voting: Causes and Methods of Control. By C. E. Merriam and H. F. Gosnell. Chicago: University of Chicago Press, 1924. Pp. xvi, 287.

Partisan efforts to get out the vote of course there have always been. And the recent national campaign was marked to an unusual degree by non-partisan efforts to get out the vote, largely sincere, no doubt, but also largely amateurish. Shocked by figures regarding the percentage of abstention, a condition that has been shown to be growing,[1] the public interest in this problem is markedly greater than ever before. Hence the importance and timeliness of this study of non-voting by Professors Merriam and Gosnell can scarcely be overstated.

There is nothing amateurish about their work, "no armchair generalizations," no preaching. Instead over 6,000 non-voters were personally interviewed by competent investigators, most of them graduate students of political science. While these 6,000 represented a little less than 1 per cent of all the non-voters in the city at the election under consideration (Chicago mayoralty election, April, 1923), it is believed that the careful selection of groups and types has given a fairly representative set of the situations to be studied. The results thus obtained at first hand were carefully checked against census and other data as to age, sex, color, country of birth, nationality, economic status, occupation, length of residence at address and in state, and voting experience. To this analysis the bulk of the book is given over and little if anything has escaped the authors. Not the least interesting feature of the work are the frequently quoted expressions of non-voters themselves, set down in their own words as gathered by the investigators. They run the gamut from dire tragedy to broad farce; they illuminate as many aspects of the life of a great city as the stories of O. Henry; to the student of politics they throw a flood of light not only on the mental processes of non-voters but of many voters as well. In addition to the statements of non-voters the judgment and insight of some 300 experts in the electoral process, practical politicians for the most part, were also enlisted, and the quotations from such sources, chiefly given in the chapter on Precinct Studies, will be found of absorbing interest.

No summary can begin to do justice to the multiformity of the data secured by Professors Merriam and Gosnell. However, it may be stated that general indifference and inertia accounted for over two-fifths of the abstentions; that such physical difficulties as illness and absence covered one quarter of the cases; that legal and administrative obstacles (insufficient residence, fear of loss of business or wages, congestion at the polls, poor location of polling booth, fear of disclosure of age) explained one eighth of the electoral failures; and that disbelief in woman's voting or disgust with politics accounted for the remainder of slightly more than one sixth. The differences in proportion of the reasons given by women and men are most significant. Undoubtedly there is a large hangover of anti-suffrage opposition and apathy among both women and men from the period prior to the Nineteenth Amendment, a factor which in all likelihood will continue to figure at least until the present generation has passed off the stage.

A chapter on Methods of Controlling Non-Voting sums up the social mechanics of the situation. With scientific impartiality it discusses the problem both with reference to stimulating and depressing participation. Certainly those who in the future may wish to get out the vote cannot afford to neglect the very full and practical discussion of measures which it contains. In any event the problem is still with us. Official figures recently published, which, however, do not give the vote of various minor parties, show that the popular vote in the presidential election of 1924 was only 8.3 per cent greater than that of four years earlier,—slight progress to set against a population increase of nearly 6 per cent, reckoned on the showing made from 1900 to 1920. Whether the present movement to get out the vote continues or not all students of political science are deeply indebted to Professors Merriam and Gosnell for the brilliant illumination they have given to a political area hitherto unexplored, except casually, in spite of the fact that it lies at our very doors.

Robert C. Brooks.

Swarthmore College.

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Representative Government. By Henry J. Ford. New York: Henry Holt & Co., 1924. Pp. vii+318. $3.50.

In the field of politics there has always seemed to exist an irresistible temptation to indulge one-self in romantic illusions. The advent of popular government has only exaggerated the fault. Human nature seems particularly susceptible to that form of flattery which finds expression in accounting for political institution as the result of inherent strength and nobility of character and of a conscious and adequate political theory that the people have developed. Whereas the facts seem to be that the evolution of political institutions has been conditioned by factors that are much more fortuitous, opportunistic, human and unromantic.

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[1] See article on "The Vanishing Voter," in the *New Republic* 40: 162 (Oct. 15, 1924).

One of the classical illustrations of romanticism in politics, where fancy has supplanted fact, and where otherwise competent writers have demonstrated an unusual ability to "believe what they want to believe and make facts appear what they wish them to be" is the theory that treats representative government as a "modern restoration of ancient right, whose institutional embodiment was the Teutonic assembly of freeman" which institution, they contended, "was carried into England by the Anglo-Saxons, where it became the germ from which representative government was eventually developed." The validity of this theory received the author's exclusive attention throughout the first half of the work. The defence of this doctrine by John Cook, Sharon Turner, John Mitchell Kemble, Edward A. Freeman and John Richard Green is examined by Professor Ford, who finds it entirely unfounded in historical evidence.

He believes that "representative government originated as a bud put forth by monarchy," that it developed in England not because the people were freer there, but because monarchy was stronger, and he makes the significant suggestion "that the struggle between king and parliament was not for the freedom of the people but for possession of authority to rule the people." The author has made a case that it will be difficult to attack. He has rendered a useful service by introducing realism into a subject where it has been all but absent and has delivered a body blow to some of the romantic nonsense that has been too prevalent in certain phases of political thought. One might well contend that the doctrine itself is not of sufficient present day importance to justify half a volume, and that might be true were it not for the fact that its romantic implications still constitute a blight upon our political progress. In American politics the histrionic statesman is still the man of the hour.

The second half of the book is devoted to a critical study of the characteristics of representative government. He attributes the breakdown of representative government in the United States, not to any inherent defect in its theory but to the failure of the people to give it an actual trial. Real representative government has never been tried in America, and instead of working towards that ideal, as difficulties and weaknesses have appeared, we have gone farther and farther away from the only principles of representative government which actual experience has shown to be workable and sound. Professor Ford contends that the following five conditions are essential to an effective representative system: "1. That the people shall be free to choose whom they will to represent them; 2. That the representative assembly shall be face to face with the administration; 3. That the representatives shall be so circumstanced that they can use their authority only on public account; 4. That elections shall be confined to the choice of representatives; 5. That the supervision and control of the representative assembly shall extend over the whole field of government." In America these principles have been violated by the separation of powers, by the hopeless decentralization of all public authority, by the unending multiplicity of elections, by vesting the legislature with practically unlimited initiative in proposing bills and revenue measures, and by severely limiting it in supervision and control of the administration. On the whole it is a damning indictment against the political common sense of the American people and their political leaders. And the author makes a convincing case. In the main, American political thought has refused to be guided by the lesson of experience, both at home and abroad. Political speculations if articulated with the proper rhythmic cadence, have generally triumphed over the protest of actual experience. Literary diction has been more powerful than scientific method.

Professor Ford has fortified his position by the citation of illustrations that are convincing. He has summoned to his aid comparative data from other governments that is most instructive. He has indicated a program that from an American point of view is a wide departure from accepted dogma. But he has not sought to evade the difficulties raised. He has met them frankly, forcibly, and frequently with apparent finality. It will be interesting to see the reply of his opponents.

To a few of the specific arguments and observations of the author, the reviewer would have to register an emphatic dissent. But the general trend of the reasoning is sound, realistic, and difficult to resist. No person interested in the scientific study of representative government can afford to miss the stimulating and scholarly work. It is a real contribution to political thought.

Arnold Bennett Hall.

The University of Wisconsin.

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ONE CITY GOVERNMENT APPRAISED FROM TOP TO BOTTOM

The Government of Cincinnati and Hamilton County. A Survey directed and edited by Lent D. Upson. Cincinnati: City Survey Committee, 1924. Pp. 535.

This report on Cincinnati and Hamilton County, a product of the combined resources of the Governmental Research Conference group under the direction of Dr. Lent D. Upson, is notable in many respects, but in few more noteworthy than in its origin. The survey was conducted under the auspices of the Republican Executive and Advisory Committee of Hamilton County, through the medium of a subcommittee headed by William Cooper Procter and a general citizens' committee appointed by it, directed by George H. Warrington.

The setting is thus unusual and furnishes an important key to the understanding of the report itself. In the light of the political situation in Cincinnati, however, no other initiative could have been expected, for the Republican Executive and Advisory Committee of Hamilton County is the dominating, if not the sole, centre of public authority for the county and city alike. Administrative officers report to the committee, submitting their plans for consideration and approval; legislative bodies deliberate only in the light of decisions made in the sessions of this party council. Appointments there receive the necessary approval, and there lies the responsibility for ensuring that every precinct captain has his job in the public service of city or county.

The importance of a report of this character is twofold. It has a primary value in revealing the status quo of a governmental unit whose renovation is demanded by some of its citizens; it has also a permanent interest as a type of investigation of which the last decade has been prolific. In the following paragraphs therefore something will first be said of Cincinnati and Hamilton County, after which will be found some comment on the survey as a piece of investigation, the latest of its genus.

The governmental situation revealed in Cincinnati is in many ways a curious and unexpected one. The dominant factor is the lack of funds. The city has for many years been financially starved, owing in part to the limitations of the state law and in part to the discrimination practised against it by the county budget commission, in whose hands it lies to a considerable extent to apportion available taxes between the city, county, and school board. The latter is protected by statutory requirements, but the city's share has consistently been reduced by the county budget commission to an impossible figure. The report properly asserts that this arrangement "offends every sense of justice" but fails to indicate why the Republican Committee should play favorites in this way; one may surmise however that the explanation may be found in the relative importance of city and county in state and national politics.

The desperate financial condition is made the never failing excuse for all shortcomings in the conduct of municipal government. The survey however makes it sufficiently clear that the citizens of Cincinnati may rightly demand reforms along other lines as well. The spoils system appears to be almost universally accepted, and even where the pretense of merit is kept up, the miserable employment conditions eliminate competition. Glaring examples of underpayment and overpayment, of understaffing and overstaffing are recorded. Council and county board have both lost all initiative to the Republican committee, and it has lost effective contact with the people of the city.

In spite of these almost overwhelming handicaps, the survey reveals many matters of credit to the administrative staff. Owing to the fact that the Republican party has been in unbroken political control for many years, there have never been examples of the wholesale replacements ordinarily incident upon the spoils system. Promotion to the higher positions has been in fact on a merit basis, and a high level of competence is revealed in the supervisory staff of many offices. The never ending struggle to make one dollar do the work of two has largely eliminated waste and extravagance, except in the matter of employment in some offices. Graft and corruption have not flourished except on a petty scale.

It remains true however that a substantial portion of the work of the city has been gradually assumed by private organizations, which with the city employees are carrying a considerable share of the tax burden of the community. In public welfare service and in health administration especially is it true that the city is forcing private charity to carry a disproportionate share of the load. The members of the police force (to take a conspicuous illustration) are notoriously underpaid, but are nevertheless required to purchase uniforms and even their guns; full pay is deducted for sick leave; and in 1923 each patrolman lost a month's pay through enforced leaves in order to make up a deficit in the police fund, while at the same time the men were deprived of their annual vacation. And yet the report alleges (p. 246) that the "morale of the force, among the men interviewed, seemed relatively good." One wonders what manner of men these are!

The county and board of education on the other hand have more nearly adequate funds. Their standards of accomplishment do not seem to vary in any notable way from the general levels attained by American counties and boards of education; the latter, in the words of the report, "is the only governmental organization in Cincinnati chosen without regard for political affiliations, and whose policies are initiated and administered independently of party organization."

In a word the governments of Cincinnati and Hamilton county appear from the survey to have been conducted by the party organization upon ordinary levels of efficiency, with perhaps less waste than might have been expected owing to the impossibility of securing funds to scatter among the faithful. The complete assumption of responsibility by the Republican Executive Committee and the failure to publish reports and furnish information by which the citizens could follow the affairs of the city gave rise however to rumors of extravagance, bad judgment, and corruption which forced the committee itself to sponsor the present investigation.

As a type of investigation the survey has naturally its strength and weakness. It was written by a group of men (nineteen in all) with long experience in making investigations of this sort, drawn from many of the leading bureaus of municipal research. These men came and went to and from Cincinnati as their other duties permitted, and the opportunities for conference among the whole group were therefore considerably diminished. The general plan of each study is however the same, and indicates a desirable degree of supervision and editorial control.

Among the notable achievements of the survey perhaps the most important is the formulation of a set of standards for the appraisal of each activity or office under review. Although this is not the first time that such standards have been formulated and although in some cases the standards leave much to be desired, the greatest credit is due the director for constant insistence upon a definite basis for evaluation of the varied functions of city and county government. It is only by the statement and restatement of our premises that we shall make progress in the process of survey and evaluation.

Another striking feature of the report is its scope. It covers not only the ordinary administrative functions but plunges boldly into a critical analysis of the legislative agencies and the municipal court, some phases of the school system, city county consolidation, and citizen influence on government. It is therefore one of the most inclusive studies of its kind; and with its complement of one hundred tables, is designed to give the statistical basis for a thorough understanding of the governmental situation.

Without in any way intending to disparage the importance of other sections of the report, it seemed to the reviewer that the analysis of the financial situation of the city, the study of city and county employment policies, the incisive criticism of the city council and county board, and the study of health administration furnish the most important individual contributions.

If one may venture to suggest the points at which the report failed to achieve its high standards, one would comment first on the lack of a careful and well balanced summary. The report is frankly difficult to grasp as a unit, and primarily because no one has succeeded in bringing together the two score and more separate reports into an organized whole. Neither the statement of the City Survey Committee (pp. 11–30) nor the summary of recommendations (pp. 31–33) nor the summary of conclusions (pp. 42–56) performs this essential function.

The sense of inadequacy thus induced is heightened by what seems to the reviewer the bad mechanical arrangement and set-up of the report which not only fails to help the reader to catch the relation of its parts, but discourages him in trying to create a clear conception of the whole for himself. The uncertain proof reading furnishes also an abundant if a minor source of irritation.

Many of the individual reports are superficial.

It may be said in defence that a brief sketch was sufficient in many cases for the purpose of the survey. If this be granted the question then arises as to the usefulness of printing them in a survey much of whose work is extremely well done. The contrasts are sometimes disconcerting.

Finally one may express regret that some matters of fundamental importance were not apparently considered. The difficult and unexplored problem of administrative areas passed by unnoticed except for a brief but suggestive paragraph in the report on public health (p. 381). City-county consolidation was dismissed with five pages. Whatever may have been the likelihood that a program of city county consolidation would find favor with the dominant political organization, it may be supposed that a systematic study of this problem would have been of great value. Recent experiments in Chicago in the direction of unifying the inspection service indicate that a real opportunity to make a constructive study of importance to Cincinnati was also neglected.

The reviewer does not wish however to conclude while sounding a note of criticism. The report as a whole is a distinctly valuable contribution and has already played an important part in the successful campaign for the city manager plan and proportional representation. The citizens of Cincinnati had lost confidence in their government to the extent that they persistently refused to vote it obviously necessary special levies. This confidence may now be restored when the new city administration takes hold; in any case the citizens now know from this survey what are the problems which will have to be solved before a proper governmental situation will be restored.

Leonard D. White.

University of Chicago.

GOVERNMENTAL RESEARCH CONFERENCE NOTES

EDITED BY ARCH MANDEL

Secretary, Governmental Research Conference

A Report has been published by the Committee on Public Economy of the Ohio Tax Association, suggesting certain tests which may be applied by public officials and by citizens in considering new activities or improvements. It also proposes legislation for greater restriction of bond issues, a mandatory balanced budget system, reduction in election costs, simplified governmental organization, and reduction of school building costs. Copies of the report may be secured from John E. McCrehen, 145 E. State St., Columbus, Ohio. R. E. Miles is chairman of the committee.

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A State-wide Effort is on foot in Ohio to secure legislation changing the organization of the state departments of public health and public welfare. It is believed that these departments cannot function as effectively as they should when their administrative officers serve only at the pleasure of the governor, whose term is two years. A plan is proposed to place the appointment of the director of each department in the hands of an unsalaried board, whose members will be appointed by the governor for overlapping terms.

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The Municipal Research Bureau of Cleveland is at present engaged in the following studies:

1. A study of the sewage disposal problem in Cleveland in relation to the water supply and sanitary conditions along the Cuyahoga River and the Lake Front.
2. A study of delinquent tax administration in Cuyahoga County. (Delinquencies have been increasing rather rapidly during the recent years.)
3. Assistance to the board of education of Cleveland in the establishment of standard equipment for school buildings.
4. A report upon county financial administration is just being completed and will be published in the near future.

Recent reports have been prepared upon the "Operation of the Municipal Markets of the City of Cleveland" and upon "Proposed Standard Plans for School Building Construction in Cleveland." These reports are available in limited amounts for interested persons.

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Death of George Burnham, Jr.—Not only the Philadelphia Bureau of Municipal Research, but the governmental research movement as a whole, has lost a friend and strong supporter by the death of George Burnham, Jr. Mr. Burnham was a leader in the group which organized the Philadelphia Bureau, was vice-president for a number of years of that organization, and president since April, 1918.

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The Commission of Publicity and Efficiency of Toledo, after an investigation, has recommended to the city council that it study the advisability of asking the state legislature to abolish the annual registration system. The commission ascertained that the present system of annual registration, which amounts to a yearly re-recording of miscellaneous information about residents of the city, costs over $25,000 a year. The commission believes that the same results could be obtained by a permanent registration system such as is in force in St. Paul, Omaha and other cities.

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Preparing the New City Manager Charter for Kansas City has been the principal item of business before the Public Service Institute of that city. The prospects for the adoption of the charter are very bright.

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New York Bureau Notes.—A. E. Buck of the New York Bureau of Municipal Research has completed another tour studying state government. This time he returned from the Pacific coast via the state of Washington to look in on the results of state reorganization at Olympia. Mr. Buck's trip to the coast was in connection with the survey of the state of Nevada which is being carried through by the New York Bureau of Municipal Research and the National Institute of Public Administration. The unique feature of the recommendations of the survey is the substitution of a small single chamber legislature for the present unwieldy bicameral system. It is expected that the major recommendations of the survey will be laid before the state legislature during the 1925 session.

Dr. Carl E. McCombs of the New York Bureau of Municipal Research is making a brief study of the health and welfare budget of the city of Newark, N. J., for the year 1925. This is part of a general study of the budget being carried through by J. B. Blandford, director of the Bureau of Government Research of the Newark Chamber of Commerce. Charles Aufderhar is also engaged in this study. Dr. McCombs reports that a large number of the important recommendations in the 1918 survey of Newark has been put into operation since that time in the health and welfare departments. This is an excellent example of the gradual acceptance of survey recommendations.

Following up the survey of Charleston, South Carolina, made in 1924 by the New York Bureau of Municipal Research and the National Institute of Public Administration, Philip H. Cornick was called in as consultant in the preparation of the budget of that city for the year 1925. Luther Gulick reports that Charleston has done more to carry out the major and the minor recommendations of the survey than any city heretofore surveyed in the United States. The bulk of the suggestions were enacted in ordinances or carried into administrative practice while the work was in progress and before the report itself was prepared.

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The Bureau of Government Research of the Hoboken Chamber of Commerce is hard at work on a study of the 1925 budget. The work is under the direction of Randolph O. Huus. Wylie Kilpatrick, who was formerly director of the Hoboken Bureau of Government Research, is serving as a consultant in this work, though he is devoting his main efforts at the present time to a study of new sources of revenue in New York State for the New York State Legislative Committee on Taxation and Retrenchment.

Taxation Report.—The report of the New York State Legislative Committee on Taxation and Retrenchment for the year 1924 has just been printed and copies may be obtained by addressing Mr. Gerald Casey, clerk of the committee, Senate Chambers, Albany, N. Y. This report contains a very important contribution to the question of forest taxation by Philip H. Cornick, together with material on public utility taxation and bank taxation by Luther Gulick, and a simple scheme of salary standardization for county employees by Dr. William E. Mosher.

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The National Institute of Public Administration has been retained again for the year 1924–25 as the staff of the legislative committee and is now at work on a study which will deal with the problem of state aid, the division of yield of state taxes, new sources of municipal revenue and the causes for the increases in the cost of state government.

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Work of the Minneapolis Bureau.—Following a successful competition by examination for the position of Secretary of the Board of Public Welfare, Mr. J. E. Donaldson, accountant for the Bureau, has accepted appointment to the above position. It is a source of satisfaction to the Bureau to know that the research idea in government has thus found its way into one more position in the Minneapolis administration. A successor has not yet been appointed.

The Bureau has prepared and submitted to a joint conference of interested persons in Minneapolis, St. Paul and Duluth, suggested amendments to the permanent registration law which it was instrumental in helping to pass in the 1923 legislature. The amendments deal with a greater flexibility in handling situations that have come up during the first year's experience but in no way affect the principles of the scheme of registration. In all three cities in Minnesota the plan has worked so well as to be certain to grow in popularity.

The Bureau was called into conference with the members of the Interim Committee of the House of Representatives and accompanied them on a study of reorganization of state government in Massachusetts, Pennsylvania and Illinois. The trip was another evidence of the interdependence of men in the research movement and the opportunities they have of rendering service to each other which finds the result in improved administration and organization of government. It would appear that a scheme to simplify government for the state of Minnesota built around effective administration and financial control has much more than an even chance of being adopted this session. It is ten years since the first efficiency and economy report was submitted.

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Notes on the Toronto Bureau.—The work of the Toronto Bureau of Municipal Research was confined during 1924 largely to:

1. Study of the various problems which came up during the year.
2. Communicating to the electors the facts bearing on these problems.

Various proposals made during the year were:

1. The establishment of a civic pension fund.
2. The entering of the city into the business of buying and distributing gasoline.
3. The undertaking by the city of milk distribution, etc.

The Bureau prepared open letters on these topics and mailed them to its supporters. These letters were reproduced in the press and thus were made available to all citizens. In December, preceding the municipal election on January 1, 1925, the Bureau issued two white papers; one dealing with the election of the city council and what this involved, and the other dealing with two questions to be submitted to the people; a. The request for provincial legislation authorizing the city to make an inquiry as to the basic cost of gas, with access to all the records and plants of the Consumers Gas Co., in which the city is a stockholder, of which the city already has and exercises the complete right of audit; b. The expending of $14,000,000 on additions to the water system, including a second intake.

During November and December, 1924, the Citizen's Research Institute of Canada conducted an administrative survey of the board of education of London, Ontario. The report thereon was not only adopted, but its recommendations were acted upon forthwith. The Institute also completed an administrative survey of the Kingston General Hospital, which is a teaching hospital affiliated with Queen's University, Kingston, Ontario. The reorganization of the hospital is proceeding. The Institute also cooperated with one of its members by loaning a staff member for an organization survey of a large private business. This was in the nature of an experiment. It is possible that if a large opportunity for public service through co-operation of this sort can be demonstrated, the Institute may undertake similar surveys in the future.

ITEMS ON MUNICIPAL ENGINEERING

EDITED BY WILLIAM A. BASSETT

Defaulting Highway Contractors.—Defaulting in highway construction contracts has probably been of more frequent occurrence than on any other type of public work. Widely divergent reasons for this condition have been given by those concerned with handling and directing highway improvement work, but there is food for thought in the statement made by Charles M. Upham, state highway engineer of North Carolina, who, commenting on some ten or fifteen failures in North Carolina, states that "80 per cent of the causes are insufficient finances or incompetency of the contractor." Moreover, in Mr. Upham's opinion incompetency is the principal cause for defaulting. This opinion coming from one who has been identified with highway improvement work for many years demands attention. The question naturally arises as to how to prevent the incompetent contractor from obtaining contracts for public work of this character. Just how far the prevailing legislative restrictions which require awarding contracts to the lowest bidder are responsible for this condition is problematical. Undoubtedly it is a serious factor in producing the situation.

No class of public work is more directly concerned with the economic and social welfare of the public than the providing of highway facilities. Expenditures for these purposes, particularly outside of the larger cities, constitute the largest contribution to the tax burden. It is imperative that any condition tending to increase unnecessarily the cost of highway work should be corrected.

◆

Illumination Requirements to Safeguard Highway Traffic.—Valuable suggestions with respect to the requirements of highway illumination to safeguard the use of public thoroughfares by traffic during the night are contained in the report of the committee on construction and engineering presented to the National Conference on Street and Highway Safety. Recognizing that glaring headlights constitute a danger for which no satisfactory remedy has as yet been found, the committee recommends the illumination of streets and highways in such a way as to obviate the necessity for bright headlights. Such an arrangement is generally feasible of accomplishment on city streets, and to effect this the following amounts of illumination are recommended as constituting a desirable minimum:

Class of Street	*Distance Between Lighting Standards Feet*	*Number of Lamp Lumens per Foot of Street*
Business streets	50–75	100–150
Main thoroughfares	50–75	80–125
Residential streets	50–75	50– 75

An important element in the street lighting provided for main thoroughfares on which traffic officers are posted is that of securing adequate flood lighting of traffic posts. In rural districts the expenditure required to install and maintain illumination on even those thoroughfares carrying heavy night traffic would be enough to improve and maintain a large amount of additional highway. Taking into account the fact that even though the principal highways were illuminated, most motor vehicles have to operate also on unlighted highways and would therefore have to be equipped with adequate headlights, the committee believes that in general it is more important to provide the greatest mileage possible of improved roads than to light the principal thoroughfares now existing.

The problem of illuminating highways connecting communities close together is essentially the same as that for city streets and should be so considered. In other words, complete illumination equal to the recognized minimum requirements should be provided. The committee points out that anything adjacent to the street or highway which can be utilized to reflect light will be of assistance in night driving. Curves, tree-trunks, telephone and trolley poles, sidewalks, fences and especially board fences erected at dangerous curves and at dead-end streets, if painted white or light in color, will be found effective.

Where parking is permitted at night—and it is frequently permitted at night in sections where it is not permitted in the daytime—the design of the illumination is important. This is especially true on narrow streets, where lamps mounted low may cause deep shadows of parked machines out into the center of the street, destroying the effectiveness of the illumination.

✤

New Developments in Street Lighting.—Three recent developments in street lighting which merit the attention of city officials contemplating additions to their street lighting systems include the asymmetric lantern, the four-way reflector and the highway lighting unit. The asymmetric lantern consists of a frame in the usual lantern form in which are mounted glass panels of a slightly diffusing character. Within this lantern and surrounding the incandescent lamp is mounted a cylindrical prismatic refractor whose prisms are so designed as to give an asymmetric, that is, non-symmetrical distribution. This new development not only sends the upward light from the lamp downward so that it will be useful on the street surface but in addition reclaims, to some extent, the light which is ordinarily thrown onto the lawns and front porches, bending it outward onto the street. This feature avoids the undesirable strong light on the front porches and increases the illumination of the street. Experiments indicate that with this type of unit a given minimum illumination can be produced at a considerable saving in energy over systems formerly in use, and furthermore, that an unprecedented uniformity in illumination can be obtained with a minimum number of units.

The four-way reflector is essentially a suspension type of unit, based upon somewhat the same principles as the asymmetric above described except that it produces four beams of light at an angle of 90° with each other, instead of two. It is made to be suspended over the center of intersecting streets throwing its maximum beam up and down each street. This device is said to be a highly efficient and very economical unit for such uses.

There are three types of highway lighting units on the market today. They are designed for a mounting height of from 25 to 35 feet, a spacing of from 300 to 400 feet and will produce a fairly uniform illumination of low intensity almost entirely confined to the surface of the roadway. The illumination produced by this type of system is ordinarily sufficient to obviate the necessity for light-glaring headlights, this eliminating one of the most potent sources of accidents.

✤

Controlling Pavement Restoration Work, New York City.—Prompt restoration of openings made for any cause in paved streets is essential both as an economic measure and to promote public convenience. Although the requirements of administrative procedure needed to effect adequate control over pavement restoration are comparatively simple, it is rather surprising how few cities secure satisfactory results in this matter. For that reason the methods followed by the borough of Manhattan, New York City, in controlling work of this character, as outlined by R. A. McGregor, assistant engineer in charge of street maintenance before a conference on administration of city paving departments, held during 1924 at the Engineers' Club of Philadelphia, is of particular interest. Mr. McGregor states that at the time a permit to open a street is issued "in Manhattan a double deposit is taken, as we call it,—that is to say, an estimate is made according to the purpose of the opening. An opening for water is generally considered about eight yards; a sewer connection is, I think, sixteen yards. Anyhow, the plumber, or the permittee, is charged for one repairing on that, at the rate of $5.00 to $6.00 per square yard, on a regulation estimate—always the same for an opening for water, and the same for an opening for a sewer. He then is charged an equal amount for a deferred payment, making the double deposit; and out of the first half of his deposit his first restoration is made, and he is charged only what that restoration costs. That is to say, he is charged the actual cost—it may be only $5.05 per square yard,—he is charged with the exact amount per square yard for what is done to the area that requires to be restored. Then, the other half is retained for six months and at the end of that period, if the pavement has not gone down, that entire deposit is refunded. If it has gone down, the restoration cost is taken out, if the deposit was large enough; if not large enough, he is billed with the excess. The excesses amount to a very small sum. We do not send a dozen bills a year against the second half of the deposit. We have the plumbers so well trained, apparently, that the trenches are better filled. All trenches are filled by the permittees, either plumbers or public service corporations.

"According to the court decisions the city has to charge the actual cost of restoration. At one time we used to charge a fixed amount, and made a little profit on it; but we are not allowed to make any profit on it now, and have to charge the actual amount. So the fee varies slightly from year to year, but it must be enough to cover the cost."

◆

Motor Flushers for Street Cleaning Purposes; Chicago's Experience.—The superiority of the double unit type of motor flusher over the single unit for street cleaning work apparently has been demonstrated by the experience of the city of Chicago, Ill., in the use of this type of equipment. According to William J. Galligan, assistant superintendent of streets of Chicago, who discussed this matter before the last convention of the American Society for Municipal Improvements, the single units average 18 lineal miles per shift, consuming 2 quarts of oil at 12 cents a quart and 12 gallons of gasoline at 15½ cents a gallon, making a cost of $2.07 for oil and gasoline. The twenty-one double units average 22 lineal miles per shift, consuming 2 quarts of oil and 15 gallons of gasoline, or a total cost of $2.53 for oil and gasoline. All flushers operate with 40 pounds pressure on the stream. For the year 1923, the cost of operation for a single unit, including oil, gasoline, grease, shop, labor, parts, tires, depreciation, chauffeurs and helpers, averaged $1.17 per lineal mile, while the double unit averaged 88 cents per lineal mile. The average cost of the latter per thousand square yards was 8.4 cents.

It has been ascertained by careful observation and accurately kept records that the double unit not only gives better results in operation because of ability to control the stream regardless of the speed of the truck, but also is to be preferred on the point of economy since the double unit flushes on the average four more lineal miles of pavement to a shift than does the single unit with the use of only three more gallons of gasoline and of thirty tanks of water as against twenty-eight tanks by the single unit.

The single unit runs on second speed when flushing and the double unit on high speed. On car-line streets, 50 feet or less wide, one strip is made on each half of the street. On the first trip, which includes the center between the car-tracks, three nozzles are used on the single unit type and two on the double unit; while on the return trip two nozzles are used on both models. On residential streets, the full width of the pavement is flushed in one operation. With the single unit, good results are obtained only when the four nozzles are trained to the right of the direction traveled, while with double units, the nozzles are arranged to flush on either side of the street or both sides in one operation.

◆

State Supervision Over Public Water Supplies in Michigan.—A reduction in the typhoid death rate in Michigan from eighteen to five per 100,000 population during the years 1913 to 1922 inclusive, is an accomplishment that may be attributed in considerable measure to the supervision over public water supply matters exercised by the state department of health. According to Edward D. Rich, director, bureau of engineering, Michigan department of health, who discusses this matter in a recent issue of the *Journal of the American Water Works Association*, the Michigan legislature in 1913 gave the state board of health supervisory control over all public water supplies of the state. This act provided among other things that the state board of health should have authority to make and enforce such rules and regulations as it deemed necessary in the interest of the public health for the proper operation of water works systems.

Naturally the efforts of the department have been directed largely towards the establishment by the various communities of water treatment works. This has resulted in increasing the per cent of population furnished with purified water supply from about 3 per cent in 1912 to over 50 per cent in 1922. Mr. Rich points out that in order to control the sanitary quality of water furnished it is decidedly important that the supervising body know the exact quality at all times and that some one directly connected with the water system be made responsible for maintaining the required quality. To accomplish this the state board of health adopted a resolution which requires that after January 1, 1916, whenever a water supply is subjected to treatment of any kind to improve its sanitary quality, the management must provide facilities for making laboratory examinations as frequently as deemed necessary by the state board of health and that the results of these examinations must be forwarded to the board each month on blanks furnished by the state.

At the present time there are 50 laboratories in the state making water examinations regularly for 54 water systems and the results of these tests are reported each month to the Michigan department of health. The examinations are made as nearly as possible in accordance with methods adopted by the United States Public Health Service for determining the sanitary quality of water used for drinking purposes on interstate carriers and the standards recommended by the United States Public Health Service are used as standards for the water supplies of the state.

One could hardly expect each laboratory to do scientific work of the highest order, but it is significant that, so far as can be learned, even in the laboratories at the smaller plants the results continuously correspond very closely to those obtained from samples occasionally collected and examined in the laboratory of the state department of health at Lansing. By using prepared dehydrated media the bacteriological plantings are made comparatively simple and it has been found that by having some one from the state department of health spend about two days with some intelligent local person, sufficient instructions can be given to enable him to carry out routine plantings and properly fill out the report blanks. Whenever reports show that the analyst is in need of further instructions, or upon request, other visits are made and assistance freely given.

It has been found important in giving the first instructions to follow closely routine procedure only. The analyst is not asked to interpret results, but is simply required to record his findings on the report blanks. After he has had time to become acquainted with routine procedure all reasonable efforts possible are made to give instructions in interpretation of results in and the cause and effect of water supply contamination.

In any community where but 50 per cent of the population is served with what may be termed safe water supply, there still remains much to be done. However, accomplishment to date in this matter within the state of Michigan reflects credit on the state department of health.

NOTES AND EVENTS

City Manager Also Prize Cook.—The city manager of Warrenton, Oregon, Mrs. Rose E. Barrett, the first woman to enter the profession, has other claims to fame. She has devised fifty-two ways to cook prunes.

✣

Improvement Program in Dayton.—At the last election Dayton voters approved a $2,500,000 bond issue for public improvements. The work will get under way in the spring and includes street paving, erection of eight bridges, and installation of several storm sewers. The two year improvement program which has been adopted calls also for the erection of a sewage disposal plant and for the expenditure of $2,500,000 on the water system.

✣

First New Jersey City to Adopt Manager Government.—Cape May has the distinction of being the first to adopt the manager plan in New Jersey under the new optional charter law. The vote was decisive, many citizens feeling that the old hit-and-miss arrangement was reacting unfavorably against the city's prosperity as a summer resort.

✣

Schenectady Imports Police Head.—Taking a leaf from the book of Philadelphia, the mayor of Schenectady, N. Y., has borrowed Lieut. William H. Funston from the New York police department, and made him head of the police of that city. This action follows a scandal growing out of lax police enforcement dictated from high places. The recent murder of a police captain, who had been active in spite of the disfavor of the higher-ups, brought the situation to a crisis.

✣

To Use Canal Bed for Subway.—The abandonment of the old Erie Canal has given to Rochester, New York, an opportunity that she has been quick to seize. She is building in the bed of the canal a subway which will be used for both passenger and freight transportation. Over the subway she is building a public street, which will be an imposing avenue, paralleling Main Street and giving much needed relief to congested traffic. Great improvement will be made in the handling of the transportation of both persons and things. Every steam road, suburban electric road and surface car line in the city touches or crosses the subway, as does every main highway artery entering the city.

The benefits of the new subway are summarized as follows. It will:

1. Relieve the streets from the operation of the heavy electric interurban cars.
2. Eliminate the trucking of freight through congested streets by making it possible to move cars directly to private sidings.
3. Provide freight facilities to and from various freight terminals.
4. Prevent discrimination against industries in one section and in favor of those in another section of the city.
5. Tend to relieve congestion at public sidings by increasing the number and use of private sidings.
6. Establish Rochester as an open railroad port where railroads serving the city can render a maximum transportation service to industries having sidings, while shippers having private sidings are afforded access to and from all railroads serving the city.

Two of the three contracts for completing the work have been let, and already a portion of the decked-over street has been opened.

✣

PUBLIC UTILITIES' ATTITUDE TOWARDS DEPRECIATION

To the Editor of the
National Municipal Review:

Sir:—I have read with much interest Mr. Bauer's reply to my article in the December number of the Review.

I realize that the discussion cannot be prolonged but beg leave to illustrate the character of Mr. Bauer's reply by two quotations.

In the original article in August Mr. Bauer, speaking of the probable reasons for the utility companies' position, said:

> But the chief purpose is to support the companies' contention for reproduction valuation *without any deduction for depreciation.* This has

> been the center of conflict in regulation. The commissions have mostly held the view that the proper basis of return, or rate base, is the actual cost of the properties used in public service, *less depreciation. This is consistent with the accounting requirements relating to depreciation.* (Italics mine.)

This statement I challenged, and I think I proved its inaccuracy.

Mr. Bauer replies in the January issue:

> I made a casual statement that "the commissions have mostly held" to actual cost instead of reproduction cost as the proper basis of primary valuation. . . . For the present I shall prove my statement by referring to Judge Brandeis' analysis in his minority opinion in the Southwestern Bell Case.

He follows this with a quotation from Justice Brandeis' opinion in which depreciation is not even mentioned.

In other words, Mr. Bauer, writing about depreciation, made a positive statement with regard to the relationship of depreciation to valuation. When this statement is challenged Mr. Bauer repeats his statement leaving out all references to depreciation and attempts to prove it by quotations which have no reference to depreciation.

Very sincerely yours,

W. H. Maltbie.

⁂

Tax Amendments to the Mississipi Constitution Fails.—The "classified tax amendment" to the constitution of Mississippi was rejected by about eight to one majority in the November election.

Section 112 of the Mississippi constitution reads in part: "Taxes shall be uniform and equal throughout the state."—As sought to be amended, Section 112 would have read in part: "Taxes shall be levied upon such property as the legislature shall prescribe and shall be uniform upon the same class of property within the territorial limits of the authority levying the tax."

It was anticipated that the changes which probably would have been made in the immediate future in the present plan of taxation, had the amendment carried, would have been: (1) the amendment of the statute granting total exemption on intangible property, like money on deposit in banks, notes, stocks and bonds, etc., and (2) the placing of a severance tax upon the privilege of cutting timber and, in addition thereto, a system of reforestation would have been worked out, whereby an exemption from taxation would have been granted to those lands set aside for the purpose of growing timber, until such time as the timber was ready for harvesting.

It is believed that the amendment was, in the main, defeated because of the following reasons: (1) The concerted effort of the lumber industry. (Their policy in the past has been to cut out the standing timber and abandon the denuded lands; they have not been interested in reforestation plans.) (2) The press of the state was almost solidly opposed to the amendment, with the result that the claim seems well founded that "the mass of the voters were uninformed and voted their prejudices rather than their convictions." (3) The cry of "don't tamper with the constitution."

A. B. Butts.

⁂

Chinese Municipal Association Organized.—In recognition of the pressing importance and imperative need of municipal development and reform in China, the Chinese Municipal Association has been organized with one of its chapters in New York. The objects of the association are to make investigations on municipal conditions, to initiate studies in the science of local government and to promote efficient and economical municipal administration. Its functions may be briefly sketched: (1) to make investigations of the actual conditions in different municipalities; (2) to make studies of various problems relating to municipal government and administration; (3) to render assistance to different cities in developing programs of municipal progress; (4) to write and translate books, magazines, periodicals, and gazettes relating to municipal government and administration; (5) to serve as a clearing house of municipal information; (6) to propagate civic education; (7) to establish municipal libraries; and (8) to accelerate various other activities falling within the scope of local self-government.

In order to carry out these functions, the Association is planning to establish a national bureau of municipal research, a training institute of public administration, and also to publish a municipal magazine.

Its charter members are all students of municipal government and administration, sociology, public health, municipal engineering, economics, education, architecture, etc. Its officers are: Chun G. Kwei, president; Huang Lo, Chinese secretary; Ching-hui Chang, English secretary; and Kwan-chun Shen, treasurer. The association has asked Dr. Charles A. Beard, one of the most distinguished authorities in government and history and formerly adviser to the Japanese government, and Dr. Luther Gulick, director of New York Bureau of Municipal Research, to be their honorary advisers. With their advice and help, the association will surely be able to make rapid progress.

✢

California Referendum on Constitutional Amendments.—In California, at the November election, the voters adopted a constitutional amendment increasing the salary of state legislators from $1,000 for each biennium to $100 a month, or $2,400 for the two-year term. As part of the amendment, the mileage allowance was decreased, and the allowance for attachés for both houses was practically cut in half. At the same election, a state athletic commission was authorized to be appointed by the governor to regulate boxing, wrestling contests, etc., and boxing contests up to twelve rounds were authorized. The voters also authorized special taxation, at rates to be fixed by the legislature, of stocks, bonds and other evidences of value secured by property outside the state and usually classed as "foreign" securities.

An amendment was adopted authorizing the legislature to provide for the constitution and organization of municipal courts which would have concurrent jurisdiction with the superior court in criminal cases and cases involving considerations of up to $1,000; under this amendment it will be possible in cities of over forty thousand, if the procedure is adopted for such cities by the voters thereof, to combine police courts and justices' of the peace courts. Poll taxes abolished by vote of the people in 1914 were re-enacted at a rate not less than five dollars, but not to apply to veterans or any person paying more than five dollars in taxes. A measure to authorize exclusive taxation by the state of highway transit companies in lieu of the present system of both state and local taxation was voted down.

The highest vote of any of the amendments was attracted by the so-called water and power act, which authorized a bond issue of $500,000,000 and created a water and power commission with power to expend this sum for the acquisition and construction of water and power utilities. This amendment was voted down (for the second time) by a vote of 751,985 to 320,383.

William H. Nanry.

✢

Lake Drainage Case Lost by Chicago.—The Chicago Sanitary District, in which is included the city of Chicago and other territory, has been taking 10,000 cubic feet per second from Lake Michigan for purposes of drainage and sanitation. Many millions of dollars have been spent upon a sanitary system, the principal feature of which is a canal through which lake water at the above rate is being diverted. This practice must now be discontinued in accordance with a recent decree of the United States supreme court which denies to the sanitary district the right to take more than 4,167 cubic feet per second. The district is threatened with a heavy financial loss, and Mayor Dever has stated that the city faces a serious epidemic if the ruling is carried out before the new sewerage system, now being constructed, is completed.

The federal government and a number of the states bordering on the Great Lakes were the opponents in the suit, asserting that the withdrawal of the water on such a scale lowered lake levels and was therefore damaging to the interests of navigation and power development, and that it was contrary to the treaty with Great Britain because it affected the natural level and flow of boundary waters. The last clause of the decree holds out a suggestion of relief by stating that it is without prejudice to any permit that may be issued by the secretary of war in accordance to law.

Ultimately congress will be asked to legalize the full 10,000-foot per minute flow.

✢

Westchester County (New York) Government Act.—The Westchester County Government Commission which has been working for the past three years in the preparation of a charter for a new form of government for Westchester County, New York, has recently submitted to the board of supervisors for its consideration an act embodying their recommendations. The main features relate to a rearrangement of the legislative and executive functions of the county government. Under the plan contemplated the board of supervisors will be divested of its present administrative powers and become a strictly legislative body. The executive power is to be vested in a county president and other executive officers and departments provided for by law or by ordinance of the board of supervisors. The charter provides for four elective offices, namely, president, vice-president, county treasurer, and county commissioner of finance, each to serve a four-year term. The position of commissioner of finance is to be established in lieu of that of county comptroller, the latter being abolished. The office of coroner also is to be abolished and the powers, duties and jurisdiction now conferred on that office are to be exercised by a medical examiner to be appointed by the county judge for an indefinite term. Provision is made for the following county departments with administrative heads as indicated:

1. A department of finance (comptroller, elected).
2. A department of contract and supply (ex-officio board).
3. A department of health (director appointed by president).
4. A department of public welfare (director appointed by president).
5. A department of law (director appointed by president).
6. A department of public works and buildings (director appointed by president).
7. A department of engineering (director appointed by president).
8. A department of weights and measures (director appointed by president).

Two boards are to be established, namely, a board of estimate and apportionment and a board of contract and supply. The board of estimate and apportionment is to comprise the president, vice president and the commissioner of finance while the board of contract and supply is to include those officers together with the county attorney and county engineer. The functions of the board of estimate relate principally to the determination of county needs in the matter of positions and salaries and the preparation of annual estimates of expenditure for all county purposes. The board of contract and supply is to be responsible for the award of contracts and the purchase of supplies.

William A. Bassett.

✻

Important Zoning Decisions in Massachusetts.—In October last the supreme judicial court of Massachusetts handed down three important decisions regarding zoning, all being written by Chief Justice Rugg. They are the following: City of Lowell *v.* Stoklosa, 145 N. E. 262; Brett *v.* Town of Brookline, 145 N. E. 269; Spector *v.* Town of Milton, 145 N. E. 265.

Soon after these decisions were handed down Edward M. Bassett, at the request of Edward T. Hartman, chief of Bureau of City Planning and Zoning, State House, Boston, made a brief statement of his estimate of these opinions as follows:

"The Lowell case is the first decision of an appellate court in the United States, so far as I know, upholding a so-called interim ordinance as to exclusion of a business building.

"The Brookline case is the first decision of an appellate court in the United States, so far as I know, upholding a one-family house use district.

"The Milton decision is an excellent one upholding the exclusion of stores in a residence district on the use map. It is one of eight best cases decided by appellate courts on this subject. It is the exact point on which the courts of New Jersey have balked.

"These cases will be decisive in Massachusetts. They will not be decisive in other states, but will be of great assistance to the courts. My view is that these cases would have been decided the same way if there had been no constitutional amendment in Massachusetts. The effect, however, of these decisions, especially as Chief Justice Rugg refers to the constitutional amendment in one of the cases, will be to encourage constitutional amendments in certain states.

"The main danger from these decisions in Massachusetts will be that municipalities will tend to disregard the fundamentals of the police power, *i.e.*, health, safety and morals, and consider that almost anything that bears the name of zoning will meet with court approval.

"I think you should advise municipalities to adhere to zoning that is non-confiscatory, non-arbitrary and impartial. You should especially advise against interim zoning excepting possibly for a few months pending the preparation of maps. The greatest danger throughout Massachusetts will be the spread of interim zoning which will be allowed to become permanent."

✻

Bus Franchises in Ohio Home Rule Cities.—Ohio has recently been the scene of considerable agitation over the powers of "home rule cities" to control the granting of bus franchises for intra-city business. The trouble has grown out of the passage by the 1924 legislature of a bill providing that the state utilities commission shall hear and pass upon the application of bus companies for franchises enabling them to engage in business in the cities of the state including cities operating under "home rule" charters.

Certain applicants, known as the Rhineock-Sims interests, recently entered a petition before the state commission for a franchise to operate bus lines in Cleveland, the largest city of the state, and operating under a home rule charter. The city authorities, the officials of the street railway company and various civic organizations became thoroughly aroused. They saw in the act (known as the Collister-Freeman bill) a very serious blow to "home rule" rights and powers. For, they argued, if a "home rule" city's powers over an important public utility, such as bus companies, were thus invaded, "home rule" would be imperiled indeed. It was therefore their contention that the city council of a "home rule" city was the only public body vested with power to grant a franchise for the operation of bus companies within the corporate limits.

The hearing upon the Rhineock-Sims application therefore brought forth the most strenuous opposition on the part of Cleveland's city administration, the city council, the street railway company and civic organizations. These saw "home rule" more or less nullified, the street railway company subjected to ruinous competition and the public's welfare jeopardized if the commission were to act favorably to the bus interest's application.

The hearing has not been completed, proceedings being recently postponed until February. Meanwhile a bill has been reported in the present legislature amending the Collister-Freeman act to exempt transportation lines in cities from control by the Public Utilities Commission. Final decision of the conflict is yet to come.

LEYTON E. CARTER.

◆

State Municipal Leagues Organize.—Pursuant to a call issued by John G. Stutz, the secretaries of ten state leagues of municipalities met for a two day exchange of ideas at Lawrence, Kansas, December 12 and 13. Representatives from ten states attended.

Every available minute was given over to round table discussions. The subjects covered included: Informational service for city officials; field service; research, methods and results; organization and activities of the membership, conventions and committee work; securing good state municipal legislation; the official publication, policies and problems, and municipal library materials and methods. On Friday evening the secretaries were the guests of the Kansas league at dinner at which Dr. Frederic H. Guild, chairman of the department of political science of the University of Kansas, spoke on "Public Personnel Training: A Challenge in the Local Government Field."

A feature of the meeting was the extensive exhibits of work done, prepared and arranged by the different secretaries. Some of the secretaries who could not attend, sent exhibits as their contributions. It was decided to form a permanent national organization of which Mr. Lambie was elected president, Mr. Wallerstein vice president and Mr. Stutz, executive secretary. The secretariat was established at Lawrence.

Invitations will be extended soon to all active leagues which were not represented at the meeting to become members of the organization. These include California, Utah, Wisconsin, Nebraska, Tennessee, West Virginia, North Carolina, New Jersey, New York and Ohio.

The national secretariat is to receive monthly reports from all members of the organization of all work completed, publications issued and research under way. The various members undertake to furnish free of charge to all the other members copies of all publications issued and to file at the national headquarters copies of all survey forms, control sheets, convention programs, legislative bulletins and other information of like nature for the use of all of the members. This plan was evolved to avoid the present cumbersome and voluminous correspondence which passes between the individual leagues each year.

Future meetings of the Association of American Municipal Organizations, which was the name adopted by the new group, will be called when needed by the executive committee, which consists of the three officers.

HARVEY WALKER.

◆

Survey of Cleveland Municipal Electric Light Plant.—The municipal electric light plant of the city of Cleveland has recently been made the subject of a thoroughgoing study. The city administration was responsible for the undertaking, and employed A. B. Roberts of Cleveland, a consulting engineer, and the Municipal Research

Bureau for the work. Mr. Roberts' part in the investigation embraced a determination of the physical condition of the plant in its component parts, the improvements, extensions and replacements needed and their probable cost, and the need, if any, for rate changes. The Bureau's study embraced a history of the financial operations of the plant, a determination of its present financial condition and of the adequacy of the system of accounts and record keeping.

The examination revealed that in all but two years of the plant's history it had succeeded in meeting operating, maintenance, interest, depreciation and debt retirement charges. The plant is tax free and while a theoretical charge for taxes is made it does not result in any actual expenditure of cash. The study further revealed that if an actual charge for taxes were added to the other charges the plant would show an operating profit for only two years during nine years of operation.

The system of accounts was found to be adequate in the main but the books of record and methods of record keeping were quite inadequate to the needs of the enterprise. Great need was evident also for the establishment of a chief financial officer for the plant. The Bureau made thoroughgoing recommendations for the rehabilitation of the current methods of record keeping and for establishing more adequate financial control. These recommendations have met with favor by the city administration and steps are being taken to put them into effect.

The chief value of the report to persons outside of Cleveland interested in such enterprises may be derived from the fact that it represents a thoroughly dispassionate and impartial analysis of the financial operations of a good sized municipal public utility enterprise.

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State Control over Motor Bus Operation Within Cities.—Under a decision recently handed down by the supreme court of the state of Pennsylvania, the Pennsylvania public service commission has the sole right to decide who shall and who shall not use the streets of any municipality in the commonwealth for bus transportation purposes without regard to any ordinances passed by local authorities.

The essential facts with respect to the case on which this decision was based, although related to a local matter involve a situation which might arise in many other localities, and thus are of general interest. According to a recent issue of *Bus Transportation*, this decision, which is the result of a long-drawn-out battle between rival bus operating companies in the city of Chester, Pa., is expected to have far-reaching effects and to clarify a situation that has been puzzling to bus operators and municipal officials for some time. It virtually places the sole control of the bus operating business in the hands of the commission.

The case at issue had its inception last spring when the Southern Pennsylvania Bus Company, a subsidiary of the Southern Pennsylvania Traction Company, which operates street cars in Chester, went before the city council and asked permission to use certain streets for the operation of buses. At the same time the company filed an application with the state public service commission for a certificate of public convenience for the same streets.

The city council refused the company permission to operate over these streets, but a short time later the public service commission granted the certificate. Meanwhile, a company consisting of local business men was formed under the name of the Chester Auto Bus Line and application made to council to operate buses over the same streets as the Southern Pennsylvania Bus Company had asked for, and this permission was duly granted by ordinance.

The Chester Auto Bus Line then filed an application with the state public service commission for a certificate of public convenience. The Southern Pennsylvania Bus Company protested and the application was refused. Contending that the city council had priority rights in granting permission for the use of the city streets, the Auto Bus Line took the case to the state superior court, which upheld the commission. It then took the case to the supreme court, which has just handed down a decision affirming the decision of the superior court.

The Southern Pennsylvania Bus Company has again applied to the Chester city council for permission to use the streets of the city and the matter is now pending before that body.

William A. Bassett.

✠

Effective Campaign Against Arson in Detroit.—A reduction in the number of fires of incendiary origin in the city of Detroit from 111 during 1921 to 30 in 1923 has been effected largely through intelligent co-operation between the police and fire departments of that city. During the latter part of 1921 following the public disclosure of the operations of the Morris Coleman gang whose leader confessed that he alone had set 17 fires within the city on a contract, the commissioner of police of Detroit appointed two detectives as members of an arson squad. These men were relieved from other work in the police department and assigned to the investigation of fires exclusively. The men were given a small office in which they might interrogate witnesses.

The fire commissioners of Detroit issued instructions to all of the battalion chiefs of the fire department to make a close survey of every fire to ascertain whether the origin was incendiary, suspicious, or purely accidental. The fire department was notified in the event of suspicion as to the origin of any fire, or in the event that there was any physical evidence to show that the loss was incendiary, that the police department might in turn be immediately informed.

Whenever a battalion chief calls the police department, and notifies them that a fire is of suspicious origin, whether it be night or day, uniformed policemen are sent to the scene to take entire charge of the building to preserve the evidence and to keep any one from entering the building until after the arrival of the members of the arson squad. On the arrival of that squad, the watch may be maintained or it may be discontinued, according to the circumstances, but the detectives at once begin a thorough investigation. If there is any physical evidence, or if photographs are necessary in order to show exact conditions, the city photographer is called and the premises are photographed. If necessary, the city engineer is called to make a drawing. Witnesses are taken to the rooms of the arson squad and interrogated; the testimony is transcribed; and, if it is deemed that a case has been developed, the detectives of the arson squad cause the arrest of the suspect, who is given a preliminary hearing and either held for trial or discharge. All of the physical evidence is removed to police headquarters and sealed and marked for exhibit at the trial. The district attorney is furnished with a copy of the report and copies of photographs. All physical evidence is brought into court by the detectives so that it may be introduced as exhibits, and these detectives follow the case until its final determination. Since the beginning of their service under the Detroit plan eleven convictions have been obtained for the crime of arson committed in Detroit.

The simplicity and economy of this Detroit plan of co-operation of the police and fire departments in the work of discouraging arson should appeal to the officials of all the cities of the country that are faced with a situation comparable with that formerly prevailing in Detroit.

W. A. Bassett.

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New York City Board of Examiners for School Teachers Under Fire.—The application of the merit system to the teaching force in the New York City schools is in the hands of a board of examiners in the department of education, consisting of seven members. The members of this board are selected through competitive examination held by the New York City civil service commission. An examination of its methods and its work was recently made by the Bureau of Public Personnel Administration and it (the board of examiners) was characterized as having attained a degree of perfection in examining methods equal to that of any civil service commission in the country.

In the year 1923 one of the members of the board, Joseph M. Sheehan, was detected by his fellow-members to have re-rated certain candidates in an examination without the consent or knowledge of the board as a whole. The circumstances seemed to a majority of the members to justify the preferment of charges against Mr. Sheehan. Before the charges came to light the New York City board of education undertook an investigation of the entire board of examiners. This investigation was placed in the hands of a single individual, George J. Ryan, the president of the board of education. Countercharges were brought against various members of the board of examiners by Mr. Sheehan. The investigation conducted by Mr. Ryan was devoted for the most part to hearing countercharges brought against the members by Mr. Sheehan. Finally, Mr. Ryan after considering all of the charges and countercharges reported to the board of education on December 4, 1924, that he found five members of the board of examiners guilty of "irregularities." He said further, "undoubted guile was used by them in securing favorable action on certain cases." Two members of the board were singled out as being free from any criticism. These two members, however, allied themselves with four of the others who were attacked in the report, and in a letter to the board of education stated that if these four were guilty of irregularities or had used guile in official actions, they were equally guilty of the same offenses. These six members then joined in a petition to the state commissioner of education in Albany, asking him to undertake a complete and thorough investigation of the whole matter so as to determine the facts. The petition to the state commissioner attacked the seventh member of the board of examiners, Mr. Sheehan, on the ground of the charges which had previously been preferred against him.

In the midst of the investigation the board of education has authorized an independent survey of the public school system in New York City under the jurisdiction of a survey committee of two, consisting of the president of the board of education and the superintendent of schools. This committee was authorized to employ Dr. William H. Allen to conduct the survey. Dr. Allen's report has not as yet been published.

H. W. Marsh.

◆

San Francisco Vote on Charter Amendment Increases Expenditures Nearly $2,000,000.—The voters of San Francisco at the November election were required to vote on 24 proposed amendments to the charter of the city and county in addition to 18 proposed amendments to the state constitution. Eighteen of the proposed charter amendments were ratified by the voters and six were rejected. Eight of the amendments had to do with proposed salary increases; of these four were adopted and four rejected. Those rejected included proposed increases for police judges, $3,600 to $6,000, an increase for the sheriff's attorney from $1,800 to $3,000, an increase for the mayor from $6,000 to $12,000, and an increase for the chief and assistant chiefs of the fire department. The latter, although defeated as a separate amendment, was carried as part of another amendment providing for increases for all of the personnel of the fire department.

The salary increases that were authorized included an increase for the auditor's attorney from $1,800 to $3,000; an authorization to the supervisors to fix, at not to exceed $8,000, the salaries of auditor, treasurer, city attorney and other elective officials whose salaries are now fixed in the charter; and salary increases for all ranks of the police and fire departments—the increased salary for the men gives them $2,400 a year as compared with the present $2,040 a year. These salary increases, together with automatic increases in pensions that they will bring about, will add about $770,000 to the cost of San Francisco's government.

Other important measures that were carried include: An amendment establishing eight hours within a ten-hour period as the "basic" day for employees on the Municipal Railroad, which it is estimated will add from $200,000 to $478,000 to the operating expense of the Municipal Railway; a city pension system for teachers as a supplement to the present inadequate state pension system, which it is estimated will add from $200,000 to $260,000 to city operating costs; a reorganization of the fire department pension system, extending "service" and "disability" pensions to widows and children, and changing the salary basis on which the pension is to be calculated from an average for three years prior to retirement, to the salary at the time of retirement. It is estimated that this change will add 40 per cent to the city's liabilities under the present pension system, which, on a non-reserve basis, is roughly calculated as an additional cost of from $60,000 to $96,000 a year.

A special tax was voted for playgrounds on the basis that these had been heretofore inadequately provided for when appropriations were left at the option of the board of supervisors. After several years of effort an amendment was introduced and carried providing for sound scientific salary-standardization procedure and empowering the supervisors to fix all salaries for general departments, excluding fire, police, school, library and park employees—obviously a compromise, but at least a good start. An amendment was also adopted authorizing the use of the city's credit for financing special assessment work which, it is expected, will materially reduce the cost of contract work for public improvements to be funded by special assessments, and, consequently, materially reduce the cost of such work to property owners assessed therefor.

A proposal to increase the city's bonded debt limit from the present 15 per cent of assessed valuation to 20 per cent of such valuation, was voted down. This amendment was urged as necessary to pave the way for a power bond issue which it is expected will be proposed to the people late in 1925.

The amendments submitted to the people of San Francisco for their vote included several that were unusually technical in their application and which involved complex studies for the purpose of determining just what their effect would be. Needless to say, with the large number of amendments to be voted on and in the flurry of a presidential election, it was utterly impossible to bring to the attention of the people the complex factors involved. As a result the vote on individual amendments was largely influenced by sentiment or prejudice, with perhaps little understanding that, by such vote, municipal expenditures were being increased by from $1,450,000 as a minimum, to nearly $2,000,000 as a maximum.

William H. Nanry.

◆

Minneapolis to Vote on Manager Charter.—After a period of three years of more or less intensive work, the Citizens' Representative Charter Committee has made the following decisions with regard to a new charter for the city of Minneapolis:

> The council-manager charter as drafted by Dr. A. R. Hatton will be submitted to a vote of the people at the regular municipal election to be held in June, 1925.
>
> This charter will be submitted by petition.
>
> The charter will provide for new government to take effect July 1, 1927, which will avoid legislating out of office any of the existing aldermen; serve notice to candidates in the coming municipal election that their term may be shortened by two years; and give ample opportunity for getting ready to put the new government into operation.
>
> To take no chances upon a declaration by the supreme court that the proportional representation provisions of the charter are unconstitutional the committee decided to use a single member, regular ward plan as a basis for electing 17 members to the council which, with the mayor, makes a council of 18. This arrangement will last for a definite period of two years. If, as is hoped, an amendment to the constitution authorizing P. R. shall be passed by the legislature this winter and adopted by a vote of the people in November, 1926, it will not be necessary to use the single member district plan. If it should fail, the committee has provided that at the end of two years the four member district shall be used and the same number of councilmen shall be elected by P. R. This will afford the basis for getting a friendly taxpayers' suit to enjoin the city from spending money for an election whose constitutionality is in doubt. Again, if the supreme court declares in favor of P. R., the single member district plan will not have been used. If P. R. is declared unconstitutional, the charter will still possess a plan of election that is legal and more important, will have gained the reorganization of the administrative side of government.

There is growing interest in the charter although among the more conservative group it still takes the form of a redistricting amendment to correct the very uneven distribution of population resulting in unfair representation in council. The interest is so great that a member of the Hennepin County Delegation has drafted two proposals to submit to the legislature now in session. One will call for an order on the part of the council to redistrict whenever the discrepancy between ward populations is greater than 10 per cent and if the council fails to carry out this direction, the other bill will direct the Charter Commission to redistrict the city. The latter plan is probably illegal since the Charter Commission has that authority now and no additional legislation could add to it.

The charter movement is the beneficiary of the growing friendly feeling toward a reorganization and simplification of the state government upon the basis of which the new governor and many of the legislators were elected. Simplification of city government has been a crying need for a much longer period than for the state but the latter has the support of the business men and they are likewise beginning to give evidence of their desire to simplify the administration in the city government to a point where they know who is responsible and how to get responses out of a single rather than many elective bodies. They have always been in favor of concentrating legislation in one place. There is some doubt in their minds as to the method of selecting the administrative head, whether by election by the people or selection by representatives of the people (the council). It would appear that the latter plan is gaining ground. However, the only satisfactory test will be a vote and after June we will know much better than we do now where we stand. The examples of Kansas City where a vote is to be taken in February, and of Seattle voting probably in March, will, if favorable to the proposed manager charter, strengthen the movement in Minneapolis.

F. L. Olson.

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MORE ABOUT BORROWING VS. PAY-AS-YOU-GO.

To the Editor of the
National Municipal Review:

Sir:—Mr. Sumner is, of course, correct in his analysis of the influence of the growth of population and wealth (he calls it "ratable values") as factors tending to delay the penalty which he admits must be paid for borrowing. The question he asks is how long the advantage continues, and what will happen after it ceases. It is my desire to answer that question by reference to the experience of the largest and wealthiest of our municipalities, New York City. He may then, perhaps, realize that the penalty has appeared, and that it is far from slight.

During the quarter century that elapsed since the consolidation of the five boroughs to form the greater city, there was issued, excluding assessment bonds, a total of $1,347,389,732 in corporate stock and corporate stock notes. Redemptions and cancellations amounted to $319,570,827, so that the increase in the gross debt was about 1,028 millions. The change in gross and net debt can most easily be visualized in the following statement:

	January 1, 1898	*January 1, 1924*	*Increase*
Gross Debt........................	$302,902,635	$1,330,721,540	$1,027,818,905
Sinking Funds....................	92,718,373	242,897,501	150,179,128
Net Debt..........................	$210,184,262	$1,087,824,039	$877,639,777

The cost for interest and redemption during these 26 years was only 241 million dollars less than the total of bonds issued, amounting to the staggering total of $1,106,439,515, of which 171 millions were not reflected in the budget. Despite that cost, the net debt increased more than 875 million dollars.

The full significance of what has happened is not entirely visible in the statement that the debt service costs were only 18 per cent less than the total bonds issued, nor perhaps even in the fact that it will require one and three-quarter billion dollars at least to liquidate the existing enlarged net debt, but lies rather in the present situation and that of the past few years. It requires a comparative analysis year by year since 1898 of the issues and debt service costs. As I do not desire to take the space required for such a table, I will merely refer to it.

In the first place the increase in annual issues bore no relation whatever to the increase in either population or wealth. They rose within a few years from 21 millions to a height of almost 80 and then fluctuated between 60 and 70 millions annually. The average for the twenty years ended with 1917 was approximately 55 million dollars, which was also the amount issued during both 1916 and 1917. The interest and redemption requirements during the period rose steadily as the debt kept piling up, so that, although the average for the twenty years was only 36 million dollars, the costs of 1916 were only $850,000 less and those of 1917 were $7,900,000 more.

In the six years 1918–1923 inclusive, despite the greatly increased costs of construction, the issues amounted to only $250,782,675, whereas the costs were $393,780,253. It is true that the effects of the war in hampering municipal improvements had something to do with the letdown. This was especially visible in 1918, 1919, and 1920, during which an average of only 27 millions was issued, while the average for the next three years rose to 67 million dollars, and it will go even higher as the subway building program goes into effect, especially at construction costs 125 per cent higher than pre-war.

It must be evident, however, that New York City had been on the point of stabilizing its yearly issues at a level not much higher than 55 million dollars annually. As against that the costs for interest and redemption were 70 millions in 1923. For 1925 the budget alone calls for $79,337,280. This figure will be increased by the extra-budgetary costs of at least two millions, and would have been much greater if the average of 55 millions issued had been maintained. What is more, the spread would have widened for at least the next fifteen or twenty years to such an extent that the debt service should have been probably more than twice the average bond issues. Now, however, it is likely that the increased construction costs will result in increasing the amount of bonds issued annually and thus serve to "ward off" the penalty for a few more years.

There are other important effects, as, for example, on the margin of borrowing power. There are still other practical considerations involved which I will not take the time to go into here. The above ought to suffice to indicate that the arguments behind the proposal to use current funds for financing public improvements are not academic nor wholly theoretical, but that public borrowing does and has brought with it practical problems of overwhelming importance which we must face now if we would avoid catastrophe.

T. David Zukerman.

NOTES ON GERMAN MUNICIPAL AFFAIRS[1]

CONTRIBUTED BY W. E. MOSHER

The German Conference of Cities (Deutscher Städtetag) is a characteristic product of the thorough-going methods of this people. It was organized in 1905 and convened in September, 1924, for the sixth general session. All large cities and a number of smaller ones of 10,000 population and above are enrolled among its members. The total number is now 292, having a combined population of over 24,000,000.

At a recent meeting which took place in Hanover, several developments were reported that will be of interest to American readers. Among these is the invasion of partisan politics into the sphere of local administration. The author of the report, an oberbürgermeister, sets up the familiar formula that the determination of communal policy should be above and apart from political as well as economic partizanship. But he is forced to conclude—and with deep regret—that partisan politics have probably now come to stay in local affairs. It appears therefore that the future references to the German city as a model illustration of the possibility of divorcing local government from national political currents will have to be qualified.

The subject which occupied the first and most important place on the program had to do with the restoration of the independence of local government. The opinion of the conference on this matter found expression in the following resolution:

> That the German Städtetag objects in the name of the German cities to the general and progressive repression of the local administrative authority that is taking place through legal enactments and the extension of control exercised by the Empire and its various states. The right of independent administration is an essential part of public administration. It is the living source of the creative power of a people, and doubly necessary at a time when the political and economic life of a country is in the process of reconstruction.
>
> The cities accept without qualification the duties which they have as members of the larger political units. They demand, however, the freedom of movement which constitutes the very essence of independent administration, and they object to all interference or evidence of paternalism on the part of the state except that which proves to be absolutely necessary in the interest of the whole.

The second demand made by the conference was that a general and uniform codification of German municipal law be worked out and that in this codification the rights of self determination be consistently observed. (Dr. Weiss in the *Preussisches Verwaltungs-Blatt.*)

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The Taxpayer's Ethics.—The bürgermeister of Dresden contributes an interesting article which deals with the necessity of developing moral standards with reference to taxation. He points out the impossibility of working out a really effective control through penalties of various sorts, making it necessary to appeal to the moral sense of the individual taxpayer. This seems to him to be a consideration that the lawmaker must take into account in drafting legislation together with factors of public finance, economics and those of a more or less technical nature.

One of the influences that has tended to undermine the moral sense along this line is the bewildering amount of special legislation in which the central government, the states and the communes have all participated. One writer applies the term "tax Bolshevism" to the conditions now prevailing. The recognition of boundaries between governmental units and the simplification and reduction of the sources from which public income is to be derived are in the author's judgment mandatory if the authority of government and respect for tax laws are to be restored. (Dr. Kretschmar in the *Zeitschrift für Kommunalwirtschaft.*)

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City Planning.—In reviewing the recent development of Gelsenkirchen in the Ruhr from the viewpoint of city planning, a member of the planning commission gives credit to his home city for the working out of what he terms a "planetary" system of suburban growth. He likens it to the relation between the sun and its planets. The characteristic feature of such development is that the smaller suburban or satellite cities spring up at a proper distance from the mother city so that they carry on their independent existence, turning to the central city only for major requirements for commodities, administration and culture.

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[1] Dr. Mosher will contribute each month notes gleaned from German and French publications on local government.

The writer of the article urges that it is the business and one of the most important tasks of the organization in charge of the settlement of new units to avoid or at least to systematically regulate the process whereby a smaller unit conbines with the central one. In this way it will be possible permanently to maintain such free and open spaces about the city as are recognized to be in the interest of both public health and beauty. (Bürgermeister Antoni in the *Zeitschrift für Kommunalwirtschaft.*)

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Public Utilities.—The financial pressure under which the German cities have been laboring since the war has brought about a reorganization of various municipal units that has made for efficiency and financial saving. One writer from Hanover considers that necessity has proved to be a good organizer. He refers to the consolidation of the municipal gas, electric and water works that has taken place in this city. The combined reading of meters, the computation of charges, the collection of money and fiscal control through a central agency, have resulted in the reduction of staff by about ten per cent (23 persons). The combined purchase and sale of supplies and various by-products, together with improved bookkeeping incidental to such activities, has also resulted in very considerable savings. From a technical point of view, however, the various municipal enterprises have been handled quite independently.

One of the most interesting features of this consolidation is the organization responsible for the control of the various public works. The executive committee in charge consists of the oberbürgermeister or his representative, the general director, four members elected by the magistrates from its own number, nine from the council of citizens. As advisors to this committee, the following officials and representatives are attached: the directors of the four individual enterprises, a representative who is selected by the permanent officials of the works, and one selected by the workmen from their own number. The executive committee has about the same obligations as the board of directors of a corporation. They are the policy determining body.

The experience of the past two years stamps the reorganization with success. It is worth noting that in the whole process of reorganization it has been possible to avoid considerations of a partizan character. (Senator Bock, *Zeitschrift für Kommunalwirtschaft.*)

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Public Health.—The serious deprivations accompanying and following the war experience of Germany have given a very decided impetus to the installation of public baths. A society for public baths has been formed, and according to a report of its last annual meeting, opinions of physicians are unanimous that bathing is one of the most effective means of combating illness and improving the health and hygiene of the people. The conclusions reached independently by two authorities in the field of public hygiene are that light, air, and swimming baths should be recognized as significant curative factors and means for avoiding diseases. Especial attention was given in the course of the conference to the beneficial effects of air and water baths on rickets or the so-called "English sickness" that has been widespread on account of the privations due to the war and the economic conditions since 1918.

It is pointed out further that the great number of anaemic women and those suffering from lung trouble, as well as the youth in general, will profit from bathing of the type just referred to. In spite, therefore, of the financial pressure under which the cities are laboring, it is considered that the health of the people demands the erection of baths, open without cost to the public at large. (Bürgermeister Schulze, Rötha, in the *Zeitschrift für Kommunalwirtschaft.*)

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Municipal Surveys.—One of the most valuable undertakings of the staff of the *Zeitschrift für Kommunalwirtschaft* is the publication of comprehensive reports concerning individual cities. These reports consist of contributions made by local specialists or officials and cover the major activities, interests and characteristics of the city concerned. For instance, the following subjects are usually considered: the topography of the city and character of the population; industry and trade; traffic; public administration, particularly as regards organization and finance; the architectural character and development of the city; education, including vocational education; science and art, and other topics.

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COMMENT

Three Large Cities Voting on Manager Plan Three cities with a total population of more than one million are voting on the adoption of the city manager plan. Kansas City, Mo., voted on a home rule manager charter on February 24. We go to press too early to announce the results. Seattle will vote on the question on March 10, and Minneapolis will pass upon her proposed manager charter in June.

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Absentee Voting Unconstitutional The Pennsylvania Supreme Court has declared that the absentee voting act of 1923 is unconstitutional. The provision of the state constitution providing that the voter must have resided at least two months in the election district "where he shall offer to vote" was interpreted as requiring personal appearance at the district polls.

It is said that more than forty states now have absentee voting laws. Missouri and North Carolina have sustained such laws in the face of constitutional provisions similar to that upon which the Pennsylvania law was wrecked.

The Public's Representation in Rate Cases Who should be permitted to represent the public in utility rate cases? This question has been raised in acute form by the recent decision of the United States circuit court in the Denver Tramways Case. In this decision the court held that a six cent fare, permitted by the indeterminate ordinance under which the company had been operating, was confiscatory, and that earlier franchises had given the company perpetual rights in the streets of the city. More important, however, was the action of the judge in excluding all testimony offered by Delos F. Wilcox, the city's consultant, on the ground that he was not qualified as an expert. In one sentence, the court, ignoring the impressive recital of utility cases in which Dr. Wilcox has figured, explains that he is not an engineer, that he has had no practical experience with street railways or any other industrial plant, never having been "in their employ in any capacity." It was, therefore, an error in law to permit him to testify at all. The evidence excluded was designed to show that the cost of capital under the valuation allowed by the master was three or four times that of other cities. Specific evidence relating to accrued depreciation based on experience elsewhere was likewise excluded.

On the other hand, the testimony on valuation offered by the two company representatives, who were "thoroughly competent, trained and experienced engineers" and who had seen service with J. G. White and Company, the Philadelphia Rapid Transit Company and others, was accepted. Dr. Wilcox's estimate placed the valuation of the system at $9,000,000; depreciation being figured on the straight-line basis. The court, following the engineers whom it had commended in glowing terms, fixed the valuation at more than $23,000,000; depreciation, arrived at by inspection, amounting to less than one third that estimated by Dr. Wilcox. It may be added that Dr. Milo R. Maltbie, whose capacity as an expert was not questioned, was prevented from testifying as to the correct theory of depreciation and the weight to be given the various price bases on the ground that these were questions of law for the court to decide.

Irrespective of the question of justice or injustice worked to one man (the Minneapolis street railway company is seeking to have Dr. Wilcox's carefully prepared testimony excluded from the pending case in that city on the same grounds as in Colorado), there is here raised a serious question as to what sort of representation is to be allowed the public in disputes with the utilities. If the city's representative must be an engineer who has been an employee of utility companies, the talent upon which the public can draw is severely limited. The time may come when engineering attains the dignity of a profession by exalting public service; but if the other qualification, past employment by a utility, holds, the cities will soon find it difficult to secure sympathetic and enthusiastic counsel. Herein lies the real menace of the Denver decision. Is it to come about that we must seek advice only from those who, by education and business relations, are generally partisans of private utilities?

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Philadelphia Considering Permanent Registration

In company with a number of other cities, Philadelphia is studying the advantages and disadvantages of a system of permanent registration for elections similar to that which has been adopted recently in three leading cities of Minnesota.[1] However it is not necessary to be an advocate of permanent registration to realize that the present system in Philadelphia can be improved. According to the last annual report of the registration commission, the citizen there encounters cruel and unusual difficulties when he tries to vote, difficulties arising from the complexity of the registration system and the incompetency of those who administer it.

Personal registration before election is in Philadelphia, as in many other cities, a prerequisite to voting. The constitution of Pennsylvania requires that each person shall pay a state or county tax before he votes, which tax shall have been assessed at least two months and paid at least one month before election. A special assessor is elected in each election district (1471 in all) who receives $82.50 per annum and who prepares the assessment list. These election assessors must be distinguished from the assessors who appraise real estate for tax purposes. No person can register who does not appear on an assessment list and who is unable to present a tax receipt to the registration board. The registration commission complains that the assessors do their work poorly and that due to their negligence many qualified voters are omitted from the lists.

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[1] See NATIONAL MUNICIPAL REVIEW for September, 1924.

Certainly we have here a piece of useless machinery which, however commendable the principle that no one should vote who does not pay taxes, imposes a foolish burden upon the average voter which is no burden at all to the blind voters marshalled by the machine.

The commission makes two recommendations: First, that election assessors be appointed instead of elected; second, that the voting prerequisite of payment of a state or county tax be abolished. The latter can be accomplished only by constitutional amendment and would seem to render the assessors unnecessary. The whole process is antiquated. The tax payment qualification is now satisfied by payment of a poll or an occupation tax and means nothing in practice. It only makes it more difficult and troublesome to cast a ballot. Other means can be applied which more effectively protect against fraud without stifling so greatly the impulse to vote.

The citizens of Philadelphia are honestly entitled to relief.

What We Are Spending For Highways

The United States is spending more than a billion dollars a year on rural highways alone, according to Henry R. Trumbower, economist of the federal bureau of public roads, writing in a recent issue of *Public Works*. Of this amount more than 60 per cent is spent for construction, and 25 per cent for maintenance. Ten per cent goes toward debt service, and less than 5 per cent for purchase and repair of machinery and equipment. The last available figures showing how the funds were raised to meet these expenditures are for 1921 and are as follows:

Bonds		$438,000,000
Federal Aid and Forest Road Aid		79,300,000
Motor Vehicle Revenues:		
License fees	$119,000,000	
Gasoline taxes	3,600,000	112,600,000
General property taxes		415,600,000
Other sources		93,600,000
Total		$1,149,100,000

It thus appears that almost 40 per cent of the money is raised from bond issues. The rest may be said to come from taxes, inasmuch as the national excise tax on automobiles and equipment amounts to more than the federal aid extended to the states. Between 1921 and 1924 the amount of federal aid granted the states for roadwork increased about 33⅓ per cent; and excise taxes collected from motor vehicles increased about in the same proportion.

With respect to rural highways, it thus appears that automobile owners and users pay each year through taxation all expenses of maintenance and debt service, and more than half the cost of new construction. During recent years there has been a marked increase in revenue from motor vehicle taxation without a similar increase in highway expenditures; and this means that there has been a corresponding decrease in the amounts provided from general taxes and bond issues.

In other words, those who use and enjoy the automobile are paying a larger share of road costs than they did formerly, and more than many people assume.

But these payments go for rural highways. Who pays for the increased costs of building and maintaining city streets? Do those who enjoy the improved streets and boulevards pay in proportion to their use of them? The statistics are few, but the answer is distinctly *no*. Only nine states permit municipalities to levy taxes upon privately owned and operated motor vehicles. Of course many cities levy license fees upon buses, taxicabs, etc., but in the aggregate such receipts amount to very little. In some cases the cities share in the proceeds of state taxes returned to the counties, but again this does not amount to much. For the most part streets are paved by special assessments and are maintained by general taxation.

Cities are more and more claiming the right to a share of the taxes collected by the state from automobile owners and it is probable that in the future such owners will be more heavily taxed. The motor car will have to be more common than it is to-day if the public is to consider that wide, fine, hard highways are not in considerable part a special service to automobilists.

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Detroit's Sinking Fund Analyzed. The Detroit Bureau of Governmental Research has made an exhaustive report to the city comptroller upon the condition of the city's general sinking fund. The report brings out the fact that the gross city debt is $156,000,000, of which $93,000,000 were represented by serial bonds and $63,000,000 were in the form of term bonds. Of the present total tax budget, 18.6 per cent is required for debt retirement and interest, which in comparison with the burdens of other large cities, especially those in Ohio, is light.

The investigation into the adequacy of existing sinking funds reveals the fact that, according to the method of computation provided in the Detroit charter, there is a deficit in the general fund of more than a million dollars; but if the computation is on an actuarial basis, assuming an earning rate of four per cent, there is a net surplus of $437,000.

This situation again illustrates the impossibility of establishing automatic legal provisions designed to guarantee payments to the sinking funds in accordance with actuarial requirements. The Detroit charter lays down the rule that, regardless of the life of the bonds, a total of 75 per cent of the face of the bonds must be placed in the sinking fund during the term of the issue. On the basis of a four per cent earning power this procedure results in a deficit in the case of bonds of less than 15 years' life, but for bonds of over 15 years' life it results in a surplus. The report, therefore, proposes a charter amendment which will place sinking fund contributions on an actuarial basis. The serial bond plan, however, is preferred to the sinking fund system, and in this most students of public finance will join.

An interesting item is that the street railway commission, following the charter provision, is building up out of earnings a larger surplus than is really required by actuarial computations.

AN EXAMPLE OF MUNICIPAL REPORTING

Read this as an example of what not to do in a municipal report and to find out wherein lies the romance of a policeman's life. Surely he has earned a night's repose when he has answered emergency calls like the following: "Baby—left on porch; bed—fell down; puppies—under house; fight—dog and setting hen." Who wouldn't be a policeman?

Table 14—Showing Reasons Given for 1,384 Emergency Calls in 7 months, October 1, 1923, to April 30, 1924

Reason Given for Call	*No. of Calls*
Asphyxiated—Gas	2
Autos—Abandoned, 7; hit by, 4; parked overtime, 11; running without driver, 1; stolen, 3	26
Baby—Left on porch	1
Bed—Fell down	1
Begging	7
Boys—Air gun shooting, 1; bad, 8; beating girl, 1; bonfire in street, 1; breaking windows, 1; destroying empty house, 2; drunk, 1; fighting, 2; gasoline and fire, 1; "hooking" to autos, 1; playing ball, 4; playing with electric wire, 1; prowling, 1; purse grabbing, 1; runaway, 1; shooting, 4; snowballing, 3; stealing, 8; stepmother beating, 1; teasing child, 1; teasing dog, 1; toy-gun, 2; throwing glass in street, 1; throwing rocks, 8	56
Burglars—Actual and suspects	66
Cats—On top house, 1; sick, 2; yowling, 1 (1 cat killed)	4
Checks—Bad	5
Chickens—At large , 11; stealing, 1	12
Children—Girl being enticed away, 1; hit by auto, 1; too noisy, 1	3
Cows—Leg broken, 1; sick, 1 (1 cow killed)	2
Crazy—Girls, 4; men, 8	12
Dance—Evidence of whisky sales	1
Disputes—Over auto, 1; gas bill, 1; goods delivered, 1; rent, 2	5
Dogs—Crippled, 14; fighting, 3; fit, 1; howling, 2; lost, 2; mad, 30; puppies under house, 1; sick, 20; vicious, 48; (29 dogs were killed)	121
Doors open—At stores	7
Driveways blocked	2
Drunks	128
Explosion—Gas stove	1
Family fusses—Beating family, 6; quarreling, 56; whipping wife, 8	70
Fights—Man and woman, 1; dog and setting hen, 1; men, 91, women, 7	100
Fire—Boys' bonfire, 1; house, 1; sparks flying on building, 1	3
Found—Baby body, 1; boy, 1; skull, 1	3
Gambling	6
Gasoline—Auto out of	1
Horn—Auto honking	1
Horses—Sick (1 horse killed)	4
Hotel—Unpaid bill	1
"Jelly Beans"—Annoying	5
Kidnapping	1
Lewd conduct	18
Light out—On street	1
Liquor—Told where located, 1; in auto, 1.	2
Loafers—Negroes	1
Lost—Baby, 2; children, 10; husband, 1; man, 1; money, 3; papers, 1; ring, 1	19
Men—Dead, 2; gun play, 1; head cut, 2; sick, 3; unconscious, 1; whipping divorced wife, 1	10
Mule—Bad	1
Music—Too loud	2
Order—To maintain at football game	1
Parking wrong	1
Party—Wild	34
Peace—Disturbing	48
Peddler	1
"Peeping Tom"	1
"Petting Party"	1
Prowlers	184
Rape—Attempt	3
Rat—Dragging trap	1
Robbery—Actual and suspects	133
Safe—Found open	1
Sidewalk—Coasting on	1
Shooting—Actual and suspects	33
Shot—Man	1
Shoplifter	1

Reason Given for Call	*No. of Calls*
Snake—Dead	1
Speeders—In auto	1
"Spooning"	1
Stabbing	1
Streets—Blocking	7
Suicide—Attempt	1
Tent–Hid view of street crossing	1
Thieves—Actual and suspects	68
Unidentified	35
Water pipe—Broken	1
Whisky—In auto	1
Window—Broke	1
Wires—Electric down	1
Women—Auto wreck, 1; beaten in auto, 2; fainted, 1; found tied, 1; jumped from auto, screaming, 1; scared, 3; without food, 1	10
Wrecks—Auto	98
Total	1,384

NORFOLK'S $600,000 MUNICIPAL MARKET BUILDING

BY BENJ. F. MITCHELL

Architect, Norfolk, Virginia

A sanitary municipal market, financially successful, which was designed and is operated as a civic monument. :: :: :: ::

THE modern municipal market building is but a logical product of the more enlightened standards and attitude of the modern community. Discriminating housewives and public caterers manifest increasing intolerance towards the usual type of community market accommodations which have been perpetuated up to very recent years This familiar type of market, with its usual open or closed sheds, wood fittings, insanitary floors, and its heterogeneous collection of ice boxes, counters and show cases arranged according to the tastes, wares and limitations of the butcher and huckster, has outlived its usefulness and can no longer meet the ideas and requisites of food buyers and consumers. Such markets have not kept pace with the progress made in the methods of preparation of food products, both as to the processes of manufacture and facilities for prehandling. In general they are unwholesome and unsightly and subject to the contamination of street dust, flies, rats, decay and soiling of fixtures and constituent fittings, together with other conditions that make for difficulty in keeping food in a proper manner. The Municipal Market, recently completed for the city of Norfolk, Va., was conceived and designed to obviate, as far as possible, these usual unsatisfactory conditions and to make attractive and visually sanitary the facilities for displaying and merchandising food products. These practical ideals of the community are epitomized in the legend that is inscribed above the monumental windows of the building that translates, into reality, the implied promise:

> "That pure food may be kept in the best manner and sold at a fair price this building is erected by the City of Norfolk."

DETERMINATION OF THE SITE

The site for the new building is the same as that of the old market. Considerable opposition was voiced by individuals and groups as to this location. The theories advanced were that the market site should follow the geographical trend of general business, on the one hand, and that a public market should be near the geographical center of population, on the other. Painstaking analysis of the problem, corroborated by the expert evidence of the United States bureau of markets, however, determined the best location to be that nearest the transportation center, and this choice has been vindicated by actual results. The plot, an irregular parallelogram with an average width of 133 feet and average length of 240 feet, is bounded by streets on all four sides. With consideration to the relative importance of the four streets as arteries of transportation, one of the streets is exclusively devoted to the service features and approach, and the public entrances are allocated to the other three streets in such an arrangement in plan as adequately to distribute the ingress and egress.

HOW THE SPACE IS DIVIDED

The physical features for occupancy and service, as determined by appropriate study of possible requirements, are resolved into fifty-six refrigerated stalls, forty fruit and vegetable stalls, sixteen fish stalls, cold storage department, rooms and platforms for receiving and delivery, and certain auxiliary service rooms. These features are allocated to three general groups and the building is correspondingly divided into three general sections. The largest section consists of a main hall, which is entirely devoted to all food products except fish. The other public section is the fish market, which is located in one corner of the building, with separate entrance to a principal street and also door connection to main portion of market in such a way as to provide the desired isolation and yet have ready accessibility. The third section is the service section and embraces delivery room and platform, machinery rooms, heating and ventilating equipment, elevators, incinerator, receiving room and platform, locker rooms, storage rooms, toilets, and about 9,000 square feet of subdivided cold storage space on two upper floors for the more permanent storage of tenant's supplies. An abattoir for the killing and dressing of chickens has been provided in this section and so equipped and finished that odors and steam do not get into the main market and that, in spite of the nature of this work, the abattoir itself can be kept reasonably clean and sanitary at all times. The toilet facilities are expanded to provide public comfort stations for both sexes, white and colored, and are so arranged as to make them accessible after the market is closed.

The principal market section is planned with stall sections eight feet deep against the side walls in the low ceiling areas and with the central high ceiling area divided into islands about 23 by 32 feet in size, separated by aisles varying from 6 to 8 feet in width. The islands and side stall sections are separated from the aisles by walls of buff colored glazed brick up to counter height and finished at the floor, which is of promenade tile of warm gray tone with a flush coved base. Each island is designed as a four stall unit, with a four compartment refrigerator placed in center of same. Each refrigerator compartment is about 4½ by 9 feet. The aisle perimeter of each island is finished at the counter level with refrigerated show cases at the ends and display and service counters at the sides. All counters and show cases holding food products are glass enclosed and tops are of white glass. Details of show cases vary with the requirements of stall occupancy, but are uniform in general characteristics and appearance. Vegetable and fruit stalls along the side walls have a narrow counter of white glass above the glazed brick barrier and behind this is a wide oak display counter, separated from the wall shelving by an adequate walkway for the tenant merchant. No merchandise display is allowed to project into the aisle areas and the merchants are required to sell their wares from behind the counters, thus giving the public the exclusive use of aisles and obviating the objectionable hawking in personal contact.

The fish market is planned and equipped in a similar manner with stalls of approximately 8 by 12 feet, and finished with refrigerated show cases, storage boxes and enameled fish cleaning slabs. All sewer, drainage, water and refrigerating pipes are carried in spacious tunnels below and all overhead obstructions are eliminated. Numerous water outlets and drains are provided for washing both aisles and stalls. The lighting scheme is designed to produce, as far as possible, the same relative light values and shadows as afforded by natural daylight and with a uniform diffusion throughout the building. Indirect lighting is employed exclusively. Exposed fixtures are used in the low ceilings of the side aisles of main market and in the fish market, while in the central section of main market flood lights grouped on top of the refrigerater elements are directed against the curved enameled ceiling 38 feet above the floor. The lighting effect, as produced, has proven eminently satisfactory in actual illuminating qualities for display of goods, and is quite restful to the eyes. A brine circulating system supplies the cold storage and refrigerater elements and is operated by a duplex plant of units.

FLY AND RAT PROOF

Power is purchased on the prime current plan and transformed in the building to 220 volts for small motors and 110 volts for lighting. Power is metered separately for the various electrical elements so as to determine the individual costs. The interior movement of supplies in the service section is facilitated without rehandling by overhead tracks and elevator between receiving platform and cold storage, with track scales at each terminal. It is believed that the building is rat proof except for such as might sneak through an open doorway along with the entrance of some person. The ever difficult fly problem has been satisfactorily met by a carefully studied scheme of screening of openings and the installation of revolving blade fans in the ceiling of each entrance vestibule which are only eight feet high. Flies do not seem disposed to venture under these air moving fixtures. In planning the building, the use of indestructible and fireproof materials was kept in the forefront in the consideration of each detail, and all dirt secreting nooks and projections were eliminated as far as practicable. The design, both interior and exterior is simple and dignified. Materials, surfaces and scale give it a character appropriate to its purpose and civic character. The exterior is of limestone and granite with bold symbolic ornamentation. Window frames, sash and doors, with few exceptions, are metal. The interior finish is largely broad surfaces of glazed brick walls of buff color enriched with linear bands of blue and buff terra cotta, which with the white enameled ceiling lends a warm cheerful tone. Public floors are in gray tile.

The Norfolk City Market is more or less monumental in character as befits its location and status with relation to the public spirit that made it possible for the community, but at the same time it is essentially an utilitarian building of proven efficiency. Its standards for display and merchandising of food products, convenience to the public, economical maintenance of clean and sanitary conditions are of a high order. The conveniences and economy for the tenant merchants is a profitable and happy appeal to them. From a financial standpoint the actual operation of more than a year has given corroboration to the original estimates through the success attained. The Norfolk market presents a practical example of a municipal market, built by the city, which meets the needs and tastes of the buying public, the requirements of market merchants and is financially self-paying.

IMPROVING THE PETITION

BY BEN A. ARNESON
Ohio Wesleyan University

It may interest the average American citizen to learn that from four to five million signatures were attached to official petitions in the United States in the year 1922. Computations based on reliable figures show that over three million signatures were appended to initiative and referendum petitions alone in that year. In the same year, which was the year for general elections in most states, from 500,000 to 1,000,000 names were signed to petitions nominating candidates for state offices and as many more, perhaps, to the nominating petitions for county and municipal candidates, making altogether the surprising total of over four million signatures. Any agency which in a few months compels the performance of millions of political acts deserves the attention of public-minded citizens, even though it be admitted that each one of the political acts is a mere trifle when considered apart from the mass of which it is a small unit. In 1924 millions of signatures again appeared on petitions, for it is not unlikely that this year saw even more initiative and referendum petitions than 1922.

IS THE PETITION MEANINGLESS?

In spite of the wide use of the petition as a political or governmental device, careful observers are very skeptical as to its usefulness, and to many it appears quite meaningless as an expression of public opinion. It is a well-known fact that a petition in the hands of a capable and popular circulator will be widely signed regardless of its contents or purpose. A petition asking that the most highly respected citizen of a community be sent to the penitentiary or that the worst reprobate in town be given a pension would, doubtless, receive many signatures if circulated by, or under the direction of, a person possessing elements of leadership. If volunteers are lacking, a corps of paid circulators can very soon garner a sufficient number of signatures. Indeed, there are said to be organizations in some states that make a business of procuring signatures. This does not necessarily mean that any dishonesty is practised. It means rather that the organization securing signatures has calculated, as a business proposition, just what it costs to engage in such solicitation as is sufficient to bring in a given number of names. It may sound like political cynicism, but it is true, that if you wish to use the petition to get a proposition before the public, or to be nominated for office, all that is necessary is to be willing to put up a sum of money large enough to cover the cost. Not only does the petition constitute a ready weapon for those who have money to spend, but it lends itself very easily to abuse in the hands of organized interests, especially such interests as may have representatives in every nook and corner of the state.

If the petition as now used fails to function as an accurate reflection of public opinion, it does not follow that it should be abolished. It may have become so largely meaningless through abuse rather than through any inherent weakness. The right of petition has long been considered a sacred right. Some method of procuring signatures must be devised, however, which will give a name on the petition a greater significance than it now enjoys. If this is not done, the filing of a petition becomes a mere formality—a formality to be sure to which certain costs are attached, but nevertheless a formality of no significance as far as expression of public opinion is concerned. Some of the American states, realizing that signatures as now procured are practically devoid of significance, have made the requirements very low for nominating petitions. Tennessee requires only twenty-five signatures, Nevada ten, while in Ohio any voter may become a candidate at the primaries whose nomination papers contain but five signatures. No objection is heard to these low requirements, and it may be that this is the solution of the problem as far as nominations are concerned. In case too many candidates present themselves it might be found advisable to inaugurate the British system of requiring a deposit, to be returned in case the candidate receives a certain proportion of the votes cast in the election.

THE I. R. AND R.

The situation in regard to the initiative, the referendum and the recall is somewhat different. Here the problem is manifestly more complicated. To allow the propagandist or the bitter critic of the administration to burden the electorate merely by the payment of a deposit would be most unfair, and besides some preliminary expression of public opinion, such as is afforded by the petition, when properly used, is essential as the initial step in direct legislation.

Suppose that a certain petition—with a pencil attached for the convenience of signers—is passed from hand to hand down each row of a filled auditorium after an appeal for signatures has been made by a persuasive speaker. Suppose, on the other hand, that the petition is not passed through the audience, but that the same speaker merely announces at the close of his plea for signatures that copies of the petition may be found at two or three designated places in the community where those who are interested may attach their signatures. There is no question, of course, but that the number of names secured by the first method will far outnumber those secured by the second. The list of names in the first case will in all probability be several times as long as those procured by the second method. In the second case only those who are interested enough to put forth at least a small amount of effort and to suffer a small amount of inconvenience become signers. In the first instance a large percentage of those signing do so without more than passing interest in the matter involved. A name procured by the second method has, consequently, a much greater significance than one secured as a result of hand-to-hand circulation. A list of names of those voluntarily making their appearance at the designated places where copies of the petition are found will indicate a much greater interest than a list of equal length secured under circumstances which cause little or no inconvenience to the signer, and the possibilities of fraud, which are always present when the petition is circulated, are greatly reduced when the second method is used.

A SUGGESTED PLAN

Why not substitute the plan of depositing the petitions in certain public places for the present plan of soliciting signatures by circulators, paid or voluntary? Let it be announced, officially, that on certain days all petitions, which would otherwise be circulated, will be on file at designated places in each precinct to receive signatures. Before such a method of handling petitions can be put into operation, several details would have to be worked out. One problem would involve the percentage of voters which should be required when the petition is not circulated. At first thought it might seem that the percentage required should be materially reduced because, obviously, the persons in a given precinct who will go to the petition are fewer than those who will readily sign if it is placed in their hands. This is offset, in part at least, by the fact that under the proposed plan the petition is automatically placed in the hands of precinct officials in every part of the state. Besides, many friends of the initiative and referendum, believing that these agencies should function only in exceptional cases, have felt that the required percentage has been too low, especially when one realizes the extent to which petitions are thoughtlessly signed. If we leave the percentage requirements where they now are it might mean fewer successful petitions, but it would give the signatures real significance and would not interfere with the right of the voter to legislate directly in cases where the legislature may fail palpably to follow the wishes of the people. The changes here advocated do not apply to nominating petitions, for which the Ohio plan of requiring only a nominal list of signers seems more logical, but they might well be applied to the recall which should be restricted to such exceptional cases as will arouse sufficient interest to bring the voters to the designated places to sign the recall petition.

It seems reasonable to suppose that if the voter were compelled to put forth at least as much effort to sign a petition as he does to cast his vote, it would lead to a situation where the right of petition would have a real meaning and a list of names on a petition would be entitled to respectful consideration.

COUNTY GOVERNMENT IN THE SOUTHWEST

ILLUSTRATED BY CENTRE COUNTY, OKLAHOMA

BY HARRY A. BARTH

University of Oklahoma

Administration under a democratic people, honest and faithful, but unskilled and what yards of red tape! Another in our county government series.

Centre County is one in which the people rule. Here no subtle, conscienceless gentleman pulls the wires behind the screens, and makes the wheels of state go round. No rampant boss tramples on the ideals for which our fathers fought and bled,—ideals of democracy and equality. Here is no boring from within,—no sabotage. For the people rule,—the farmers, the Rotarians, the Kiwani and the Lions, the railroad men, the small storekeepers, the teachers, the clergy,—all these, literally and undeniably, determine whom their representatives shall be and what they shall do. Democracy flourishes like a green bay tree, and it is undiluted democracy,—to the hilt, one hundred per cent, pure and undefiled.

THE PEOPLE RULE

Even the county court house shows the hand of the common people. It is a cubical, squat building of red brick, topped by a small cupola. It is plain. No expensive gingerbread mars its walls. The only decoration is a statue at the peak of the cupola,—a statue of Justice. Nor is this Justice a lady who panders to the rich,—slight and slender and deceitful. She is a buxom lass, sturdy and straight. And her eyes are blindfolded, and in her hand she holds a pair of scales. Originally they balanced, but now one side has been depressed by some freak wind. But the moral is none the less evident.

True to the spirit of Jacksonian democracy, the power of the county is split among thirteen elective officers,—three commissioners, a county judge, a county attorney, a sheriff, a county clerk, a court clerk, a county assessor, a county surveyor, a public weigher, a county superintendent of public instruction, and a county treasurer. The county commissioners are chosen in districts and this reduces to eleven the number of county officers whom any individual votes upon. But the burden upon the voter is still large. It is interesting to note that in Centre County there is some sentiment for having the people elect the president of the state university.

The county officers are quite representative of their rulers. The commissioners, in fact, all the officers, are good, respectable, law-abiding men and women. They are typical products of the mid-west prairie country. One would trust them to almost any degree. What mistakes they may make flow from a lack of understanding not dishonesty. They are not sophisticated. The average education probably does not extend past the curriculum of a country school. Yet one feels that the government could easily be in worse hands. They are all kindly and go a great way to help people. They take their work very seriously. In fact, a definite pride in workmanship characterizes what they do.

The three commissioners are all farmers, as are most of the officials. Centre County is predominantly a farming community, with but a few small towns scattered in odd places. The towns are up and coming. Of course, the creed of the Rotary and kindred organizations has penetrated here and a definite urban spirit exists. This the farming group resents and a city "slicker" has small chance of ever holding a position in the county court house.

STATE CONTROL STRICT

The county carries on very limited activities and even these are rigorously controlled by a state law or a state official. Counties in Oklahoma are strictly the creatures of the legislature which has given a code of directions covering almost every function performed. These instructions are carried out with great exactitude by the county officers who show a surprisingly detailed knowledge of the law of their offices. When they are asked why they do a peculiarly stupid thing or do a job in a peculiarly roundabout fashion, a never failing answer is that the law prescribes it. Nor are they critical of the law. There is still a very wholesome though quaint respect for the law in the plains country.

The activities actually carried on include collection of taxes, recording property ownership, building and maintaining bridges, highways and drainage districts, supervision of the school districts, administering justice, maintaining a jail, charity administration, and agricultural betterment through farm demonstrations, exhibitions and eradication of pests.

The collection of taxes is one of the chief functions. The general property tax is still partly used to maintain the state government in Oklahoma though there is an income tax. The county acts as agent for the property tax, assessing and collecting the funds, and then distributing them to the state, to the school districts, and to the other governmental agencies. The assessment is quite bad,—throwing the burden on the urban areas,—and the chamber of commerce of the county seat is beginning a campaign for a better distribution of the tax levy.

A peculiarly vicious feature of the tax law provides for interest at 18 per cent on all taxes overdue. Centre County is hit at periodic intervals by bad times. Many of the farmers are always on the verge of bankruptcy. Much depends on the weather and upon pests which are especially virulent. As a result the farmers often simply can't pay the taxes on time. Interest at 18 per cent merely hastens the day of tenant farming.

Property ownership is recorded very meticulously in conformance with a state law.

COUNTY FUNCTIONS

Roads, bridges and drainage districts are built under contract with private firms. Letting of bids is carefully governed by a state law. The general opinion is that contracts are invariably let to the lowest responsible bidder. Even defeated candidates for office grant this much to the group in power.

The curse of small school districts rests heavily on Centre County. There are just seventy-one independent school districts under a mild type of control from an elected superintendent. Education cannot be on a high plane with a handicap of this nature.

Charity is quite an expensive proposition. The people are generous and poor. There are many widows and indigent persons. Some are kept in the poor farm. More are maintained in their own homes through monthly subsidies. An attempt is made to keep families together. Mothers receive checks which vary in size with the number of children. One cannot say that the work is scientific. It is haphazard and sloppy and kind.

All claims are paid through the county commission. In fact, approval of claims constitutes the chief work of the commissioners. Only rarely are claims disallowed. The chief concern of the commission is to prevent the allowance of two claims for the same work. Often a claim is not acted upon for a month or two and a second bill is rendered. The commissioners act to prevent payment of both. Occasionally though, a bill is actually reduced.

That administration reflects the character and ability of the men who govern is elemental. Centre County would serve admirably as *exhibit number one* in proving this thesis. The entire administration shows the hand of the amateur. Nowhere, however, is it as evident as in the accounting system. This is almost grotesque in its cumbersomeness and rigidity. It is true that the system is prescribed by state law, and that even an expert accountant would have difficulty in evading the law and making the system sensible. But much could be done. As a matter of fact, the laws are followed to the last limit, blindly and unreasoningly.

HOW CLAIMS ARE HANDLED—A LONG RITUAL

Every claim on the state is handled at least a dozen times before final payment. Some county officer first receives the bill and approves it. The county clerk then is given the bill. He registers it in a *Claims Register* according to every conceivable heading,—the number of the claim, the date, the claimant, the object of expenditure, the appropriation from which it is payable, the amount claimed, the amount disallowed, the amount allowed, the date of action, the warrant number and the fund from which it is payable. The bill then goes to the county commissioners. The three commissioners seat themselves around a table and proceed to take up each bill carefully. They hand the bill around and between squirts of tobacco juice give their opinion. Invariably it is affirmative, but the procedure is gone through with great solemnity and with a show of judicial attitude. After approval, the claim goes back to the county clerk who enters it in a book which duplicates the *Claims Register* almost exactly. The clerk, therefore, has two bulky volumes containing the same information. He then writes a check, signs it, and sends it in to the county treasurer whose office is across the hall.

The clerk is not yet ready to let the claim lie, however, for he has one more large book in which the identification of the claim must be written. This is the *Appropriation Ledger*, showing the amount of the appropriation against which the claim has been drawn and the detailed description of the claim.

In the treasurer's office is where the real drama unfolds. The procedure up to this point was merely the prologue. First the check is registered in the register of the fund from which it is payable. These fund registers parallel the information in the county clerk's three volumes. One would think that with four records under one roof the information would be complete. It is next registered in the ledger of the fund,—almost a duplication of the four books already described. The sixth book which contains the identical information is the *County Treasurer's Warrant Payment Register*. After registration here, the check finally speeds on its way.

But the registration is not yet complete, for valuable information regarding the check will appear in three distinct and separate reports. First, there is the report to the state examiner, made monthly, then there is the daily report to the county clerk across the hall. To cap the affair, if the expenditure has been made by a local agency, the school district, for example, a report will go to this agency also.

The check receives its final handling when it is returned from the bank, cancelled, and deposited in the county vault.

Such is the history of every claim. It is really quite an ordeal, but when it is over, the people of the county have the satisfaction of finding out about the claim in at least six huge volumes, three reports, and in the cancelled claim and cancelled warrant, also. This is "red tape" in its native *habitat*.

By making duplicate copies of the claims and warrants, and by recording each claim once in a modern loose-leaf ledger, the work of the accounting departments could be reduced ten times. Of course, it won't be. That would be to belie the democratic tradition,—to substitute experts for amateurs, intelligence for ignorance.

RED TAPE SURROUNDING TAX RECEIPTS

On the revenue side, the accounting system is quite as complex. Three copies are made of the tax receipts and the person paying the tax is given two, one of which he is told to give to the county clerk. The treasurer keeps one copy. He records this in three places. First on the *Tax Roll*, a gargantuan volume containing the name of every property owner, a description of the property, the amount of the taxes for each agency, county, state, school, city, etc., the penalty, number of the receipt, the date of payment, by whom paid, and other incidental information. Then the receipt is registered in much the same way in the *Collection and Distribution Record* (list of receipts). It is also recorded in the proper fund ledger. The county clerk also keeps a record of the receipts as a check on the treasurer.

This description of the accounting system really does not do justice to its complexity. I doubt whether it is possible to understand its delightful, its amazing bulkiness, without a first hand study. There are at least half a dozen records which I have not described.

Nor does the system furnish clearly the information which should be had regarding the county finance. No doubt, from the records, one can make a statement of the county which is accurate. To do this, however, requires a great deal of time and patience. Facts have to be assembled from a dozen sources. The object of an accounting system is to give the information that is wanted when one wants it. An accountant with a great deal of experience in municipal accounting compares making an audit of an Oklahoma county with assembling the parts of a Ford car.

The county has what passes as a budget system. This is because of the insistence of the state examiner who exercises a mild supervision over the counties, and who enforces a state law on the subject. Uniform blanks are prescribed by the state for all the counties. Here is provided space for a report of expenditures and of estimates. The form could stand improvement. Current and capital expenses are confused as are function and object of expenditure. However, the form is probably the best feature of the accounting system.

The official budget agency is the county excise board composed of most of the elected officers,—the clerk, attorney, treasurer, judge, superintendent, assessor and one commissioner. It goes over the estimates of all spending agencies in the county, including the cities. The board is made up of farmers and they seem to delight in reducing the estimates of the urban areas. Meddling with city affairs is probably one of the keenest indoor sports in which farmers participate and the Oklahoma system of excise boards is admirably adapted for their needs.

WHY DOES IT WORK AT ALL?

What amazes one most about the administrative system of Centre County is that it works at all. Why it does is a constant source of wonder to investigators. It is monumental and miraculous and passes human understanding. Probably the slightest additional work would cause it to topple over.

What surprises one even more is that people can work with a system of this kind day after day and still look upon it with pride, as, of course, they do. The attitude of the officials is simply uncritical. A government accounting system is a mystery into whose processes it would be unholy to inquire. And so they go on day after day, doing things in the most complex manner, and doing it withal in a manner most reverential. Huge books, good, solid, heavy books are toted about with the greatest devotion. Awe inspires every step through which a voucher goes. There is never the slightest departure from tradition. But of course one must treat holy things with due respect.

Possibly the system was designed to furnish work for clerks. Probably not. That would ascribe too much ingenuity to the inventors. It is merely the product of dull plodding minds. The hand of democracy runs through every cog in the administration. There are no short cuts, no clever methods. Everything is obvious and commonplace. Our administrative systems are probably the greatest monument to the tyranny of the mediocre man.

RECREATION IN SMALL TOWNS

BY WEAVER PANGBURN

Playground and Recreation Association of America

Organized recreation has been found a good investment in small towns of 2,500 population and less. It is supported by taxes and contributions. :: :: :: :: :: :: :: :: :: ::

Of 19,000 and more inquiries on public recreation received by the Playground and Recreation Association of America in 1924, one-third came from communities of 2,500 population or less.

That such places are more alive to the necessity of planning for recreation than ever before is clear, but anything like complete statistics on the number of parks, playgrounds and other recreation facilities established as a result of this interest are unavailable. This article, therefore, is not a survey of small town recreation, but a brief review of typical achievements. The facts are taken from the current files of the Playground and Recreation Association of America and from publications of the United States Department of Agriculture.

Recreation facilities in small towns include mainly parks, playgrounds, athletic fields, community houses, picnic grounds, tennis courts, bathing beaches, and swimming pools. Tourist camps also are common. In many instances, the recreation facilities combine several features. Parks, for instance, often have within their area playgrounds, athletic fields and swimming pools or other facilities.

In the majority of the towns studied, recreation is financed by public subscription. Yet instances of successful municipal maintenance demonstrate the feasibility of tax support. It is scarcely necessary to say that leadership for recreation in the small town is just as essential as in the city. The success of the program usually varies with the competence of the management.

PARKS

Wamego, Kans., has a population of only 1,585, but in 1904, as a result of a bond election, it purchased twelve acres of land for park purposes at a cost of $2,525. Recently, the park board purchased three adjoining acres at a cost of $2,000 for use as a tourist camp ground. Improvements include an artificial lake four and one-half feet deep with an area of one and one-half acres, used for boating and bathing; a wading pool, electric fountain 45 feet in diameter and 27 feet high; a women's rest house; a men's comfort house; band stand; dancing pavilion; playground equipment; three drinking fountains, dining tables, steel range, baseball, football and basketball fields, and other facilities. It is maintained by town funds at an average yearly expense of $1,500. This includes the salaries of caretaker and janitor for seven months.

The only charge made for the park is for entertainments for gain. The revenue comes from licenses for shows and from the church, school and general welfare fund. The park is extensively used.

Of it a leading citizen said: "The

park has done more for Wamego than any other one thing we have. It has encouraged higher ideals, aroused civic pride, and last, but not by any means least, has transformed the knockers into boosters."

Gregory, S. D. (population 1,067), in 1904 set aside thirty-eight acres of the original town site. This includes a butte a hundred feet high on which the town's reservoirs are located. A variety of trees were set out to provide shade and picnic spots. There is a public picnic ground thoroughly equipped and also a tourist camp. There are baseball and football fields with a grand stand, tennis courts, and a reservation for a golf course. In 1922, two swimming pools with accompanying bath houses were completed, at a cost of $3,500. Water is obtained from the town well. The park is maintained by municipal funds.

Belchertown, Mass. (population 2,000), has a local reserve known as "Holland Glen." This was purchased for $1,000 by a historical association formed for the purpose.

Marion Center, Pa. (population 500), formed a community association to purchase an area of fourteen acres for a park; $2800 was subscribed by 400 persons. The park is handled by a board of seven trustees, four of whom are farmers. The fees from concessions go into the maintenance fund.

PLAYGROUNDS

Pittsfield, N. Y. (population 2,000), enjoys a successful summer playground on a donated eleven-acre field. It is maintained by funds from the school district. In 1923 the expenditure was $100 for equipment, $50 for upkeep and $335 for salaries.

The playground is popular. For the two months, July 1 to September 1, the record showed a total of 24,685 gross attendance. Some of the conclusions of the local playground director are as follows: "It is not wise to attempt the same methods in a country playground as in the city. The purpose is the same and the need is as acute, but the result cannot be accomplished in the same way. . . . New games and apparatus can be used without limit. Not more than one of each kind should, in most cases, be provided. Equipment should be introduced gradually."

Spring Grove, Pa. (population 1500). The Spring Grove Recreation Association conducts a playground from June 1 to September 1 under one woman leader. The season's expense of $675 in 1924 was met by bazaars and subscriptions. The playground, which is half an acre in area is valued at $300 and was first opened in 1921. In 1924, additional equipment was presented as follows: one giant slide, trapeze, bars and ladders. Recreation facilities include also an athletic field, a tennis court, a quoit court, a place for water sports, and a place for skating.

The recreation program in Spring Grove includes pageants, holiday celebrations, block parties, moving pictures, first aid classes, craftsmanship, junior police, athletics for industrial groups, community singing, music memory contests, marble tournaments, horseshoe tournaments and playground ball.

Wakarusa, Ind. (population 859). The local playground association conducts one playground during June, July and August. It is located in the town park of seven acres and is a quarter of a block in area. There are also a tennis court, a quoit court, and a ball field. There are two women workers. In 1924 the season's expenditure was $312.50, of which $262.50 was from the town funds and the balance from membership dues.

Riverside, N. J. (population 949).

This town's playground which was started in 1920 is one acre in area. It was conducted in 1924 at an expense of $250, $100 of which came from the township commissioners, and the remainder from one and two dollar memberships. There is one woman director in charge.

The public school of Angola, Ind., (population 2,610) conducts recreation under the leadership of its two physical directors. There is one playground of two and a half acres on school property, with equipment worth $300. The average daily playground attendance is 125. One school building is also used as an evening recreation center and has an average weekly attendance of a hundred.

Paulding, Ohio (population 2,500). The Harmon Foundation of New York City donated a field of two and three quarters acres. This was added to by the purchase of three and three quarters acres by public subscription. The playground was conducted during the summer season of 1924 with one man director at a total cost of $500. The facilities include an athletic field, two tennis courts, two quoit courts and a wading pool. There is also one school playground, a park playground of two and one-half acres.

Other typical playgrounds are reported in Coxsackie, N. Y., under the auspices of the Village Improvement Society; Randolph, Vt., under the local Red Cross; Southport, N. C., under the schools; Traer, Iowa, under the Women's Federated Clubs; Woodstock, Vt., under the Woodstock Improvement Society; Kennett Square, Pa., under the local playground committee; Littlestown, Pa., under the Community Welfare Association, and Middlebury, Vt., under the local playground association. All are summer programs, the season's expense ranging from $150 to $725.

ATHLETIC FIELDS

New Prague, Minn. (population 1554), has an athletic field which when fully equipped will be worth $25,000. The park board, taking advantage of strong sentiment for civic improvement in the community, solicited the help of local agencies in securing a large tract for the field. The American Legion and the Veterans of Foreign Wars raised $1,500, making a first payment of $1,000 on the property on the condition that the town assume the balance of the cost of $9,000, paying off $1,000 a year. This condition the town accepted. The remaining $500 of the veteran's fund and sums contributed by various bodies were used to lay out a playground, a football field, tourist camp and other facilities and to plant flowers. The work was begun in 1922. The field now includes a tennis court, basketball courts and pavilion, in addition to the facilities already named. Much volunteer labor went into the improvements. The field is administered by a board of five members appointed by the town council on the recommendation of the park board.

Drayton, N. D. (population 637), has a forty-acre field which cost $8,000. The sum was subscribed by 260 people living in five townships. The subscribers organized a park association, a nonprofit-sharing enterprise with each share holder having one vote. A baseball diamond, bleachers, picnic benches, electric lights and water supply to constitute some of the equipment. Plans call for additional facilities. The activities include special day celebrations, bathing and boating, parties, dancing, athletics and band concerts.

Sellersville, Pa. (population 1,572), has an eight-acre athletic field valued at $2,500. It is operated from June 1 to December 31. There is one man director. The 1923 expense totalled $1,575, divided as follows: permanent equipment, $700; upkeep, $650; salaries, $225. The funds came from memberships of $650 and donations of $950.

Worthington, Conn., has a recreation plant, including an athletic field and a community center, valued at $5,000 and maintained by public subscription. The property was donated and is conducted under the auspices of the Worthington Community Association.

COMMUNITY HOUSES

The community house is the prevailing type of recreation facility conducted the year round in small towns. Most of the houses described here were donated but are maintained by public subscription.

Spring Lake, N. J. (population 1400). On July 1, 1923, a community house worth $100,000 was presented to the community. The town raised $60,000 for endowment. The interest of 6 per cent from this fund, plus $3,400 raised by subscriptions and entertainments, meets the yearly maintenance cost for the house and program. The building is located in a central portion of the town. Paid workers are a director and a janitor. The director also serves as superintendent of recreation for the community. Facilities in addition to the community building include one outdoor playground, three bathing beaches on a mile of ocean beach, one school playground, one park playground, and one evening recreation center. The activities include athletic badge tests, community singing, pageants, dramatics, holiday celebrations, motion pictures, craftsmanship, organized hiking and citizenship activities.

Beaufort, S. C. (population 2831). Social and recreational activities in this historic and beautiful sea coast town have in recent years centered around the community house. A number of ladies serve as hostesses at the house without salary. In the summer of 1924 the city manager, Hunter McGee, started a playground program, the city appropriating $610 of the total budget of $750. The Civic League supplied $140. The facilities include three playgrounds, an athletic field, two bathing beaches, and three picnic grounds, in addition to the community house. There is one woman worker for the playgrounds. The community house has in it a library and club rooms and is the meeting place for the annual lyceum course.

The cost of the house is being paid at the rate of $1,000 a year by public subscription. The house is conducted under the auspices of Beaufort Community Service, a community committee of twenty members.

Harbor Beach, Mich. (population 1556), has a community building valued at $125,000 which, while donated, is maintained mainly from tax funds. It was opened February 4, 1921. The city has its offices in the building and pays a rental of $2,000 a year. The schools make use of part of the building and pay $2,500 yearly. There are proceeds from moving pictures which are shown three times a week. The school board are trustees of the community house. Year round leadership for the plant is secured by the twelve-month employment of the two physical education directors of the schools. The building is equipped with gymnasium, library, offices of the Legion, Parent-Teacher Association, Woman's Club and the city. Three bathing beaches are utilized. Special features of the program are the volley ball league for business men and a class for training volunteer leaders.

In Chatham, N. Y., the community house is valued at $40,000 and has an endowment which yields $3,425 annually. This, with revenues from bowling, pool, billiards, and memberships brings a total income of $7,000 which supports the program; $4,500 goes to salaries and $2,500 to upkeep and supplies. There are three men workers employed the year round and one woman worker on a part time basis. The program began in 1910. Basketball is one of the most popular activities, fifty games being played in 1924. Other activities are winter sports, hiking, domestic science, first aid classes, dramatics, holiday celebrations, pageants, orchestras and bands.

Other types of recreation facilities are illustrated in the supervised bathing beach maintained at Proctor, Vt., under the Village Improvement Society, and the attractive river bank improvement donated for community use at Unadilla, N. Y.

The foregoing towns have found recreation a good investment. Social enrichment and advertising have come to them, as they readily testify. As more and more small towns discover that recreation will help to check the drift of their youth to the cities as well as to attract new residents, they will make a determined effort to supply those opportunities for clean play that parks, playgrounds, athletic fields, community houses and other facilities supply.

THE SECOND NATIONAL CONFERENCE ON THE SCIENCE OF POLITICS

BY ARNOLD BENNETT HALL

University of Wisconsin

THOSE responsible for the National Conference on the Science of Politics approached the meeting at Chicago with no little amount of trepidation and profound concern. The Madison Conference had been voted a success. But would the idea bear repetition? This was the question that troubled the minds of the committee, and which the second Conference was to answer.

The answer was most encouraging. Eighty-nine men and women thought it worth while. They came from all parts of the country and one from Canada. Most of them had attended the Madison Conference. Happily there were few casual visitors. Most of those who had been animated by idle curiosity did not return. There is reason to hope that in another year that class of members will become extinct. Though there were eleven less registered members at Chicago than at Madison, the total number of those actively participating at Chicago was substantially greater. In the light of these considerations there seems to be ample evidence of the vitality of the conference idea and of the existence of an able and permanent clientele.

As a means of estimating the work of the second Conference the writer resorted to two methods of attack in addition to his own personal observations and experiences. The first was to read carefully the reports of the several round tables. The second was to send a questionnaire to each of the members of the Conference to ascertain their personal opinions and to determine what use, if any, they were making of the work of the Conference. Fifty-nine of the questionnaires were returned.

From this survey of the work of the Conference there are four things that seem to deserve special mention. The first thing that impressed the writer was the considerable number of members who felt that their greatest gain from the Conference was an understanding of the importance of scientific method in politics and a belief that many problems of political science were ultimately capable of being reduced to questions of fact, of quantitative analyses, or of precise measurement. The first Conference was expected to be more or less of a propagandist enterprise. Despite all that had been said and done in behalf of scientific method, there were still many to whom the idea had to be sold as a practical venture. Much of the futile manœuvring which characterized the first half of the Conference at Madison was due to a widespread skepticism on this very point. Some of the groups spent a considerable portion of their time in trying to convert the unbelievers instead of attacking the fundamental problem. Yet the questionnaires returned after the first Conference did not bear witness to any remarkable conversions. There was little evidence of such heresy or unbelief at Chicago, or of much contention or propaganda as to the desirability or practicality of scientific method in general. It seemed taken for granted in most cases. Yet the returns show numerous conversions, accompanied in many cases with undoubted manifestations of enthusiasm and conviction. Naturally this was generally among the younger men, but this makes it only the more deeply significant. If the Conference can succeed in enlisting the interest and convictions of the younger men in scientific research, and if it can provide the means of intelligent criticism and constructive suggestion for their enthusiastic attacks upon the problem of method, it is difficult to overestimate the far reaching consequences of the dynamic forces thus set in motion. Several of the replies along this line carried with them a contagious enthusiasm that was most stimulating. If the Conference had done nothing more than to accomplish this, it would have amply justified the time and effort expended in its behalf.

CO-OPERATION OF PSYCHOLOGISTS AND STATISTICIANS

The second thing that impressed the writer as significant was the remarkable unanimity with which the members of the Conference reached the conclusion that the development of a scientific technique of politics would be greatly facilitated by the co-operation of the psychologist and the statistician. The attitude became articulate in the unanimous indorsement by the Conference of the recommendation of the round table on politics and psychology that courses in statistics and psychology be required as an early part of the training of students of politics. This is all the more significant when it is realized that the same idea had been expressed by most of the group directors before the specific recommendation had been suggested. There is no need here to emphasize the organic relationships between the three disciplines, but perhaps there is need to stress the recommendations of the Conference. Such fields of political research as the personnel problem, political propaganda, political leadership, non-voting, popular control, legislation, party government, etc., deal largely with psychological factors, and any political scientist engaged in investigating any of these subjects will find himself greatly handicapped if ignorant of the scientific technique which the psychologists have developed. Psychological method may have nothing specifically adaptable to the problem in hand, but it will afford many useful analogies in working out an adequate method. It is not the writer's purpose here to argue the obvious relationship between psychology and politics, but rather to plead that serious consideration be given to the Conference recommendation that some place be given to psychology in the early training of the student of government. In the writer's opinion the observance of this recommendation is of great importance in adequately training students for political research.

The relation of political science to statistics is equally important, and yet it has not received its due consideration. Departments of biology, education, economics, and psychology have found it necessary to inaugurate special courses in statistics as related to their several fields. They have found them necessary in developing their problems of method. Yet so far as the writer knows there are no functioning courses in political statistics. Graduate students in political science are suffering from this fundamental omission. Recently the writer had a doctor's dissertation prepared under his direction on the "Operation of the State-Wide Direct Primary Law in Wisconsin." The effort was to treat it statistically and objectively, to ascertain the facts, and to deal with nothing that could not be objectively determined. Some interesting and significant findings were made. When completed it fell into the hands of a specialist in psychological statistics. His study of the thesis developed the fact that the materials so carefully and industriously collected were only partially utilized and that matters of great significance had been ignored. It was all due to a lack of knowledge of statistical methods and of the mathematical formulas that were involved. It brought home to the writer with exceptional vividness the fact that scientific method in politics cannot and must not ignore the available methods of statistics.

IMPROVEMENT OVER FIRST YEAR

The third observation upon the work of the second Conference is that it represented a distinct improvement in accomplishment over the preceding year. This was evidenced in several ways. There was less waste of time in getting down to the problem of method. There was greater efficiency among the members in finding the common elements that underlay all their problems as evidenced by their united attitude towards the need of psychology and statistics. The answers to the questionnaire showed much more discriminating criticism than did the answers of a year ago. Constructive suggestions were frequent, ingenious and occasionally profound.

The reasons for this decided improvement are in the main obvious. As already observed, a large proportion of the members were at Madison a year before, and, what is infinitely more important, some of them had been doing serious work in testing out the methods there suggested. There were not many of these, but their influence was most helpful wherever found. Many more had been giving the matter thought in the meantime, and took up the task at Chicago where they had laid it down at Madison. It was this continuity in membership and interest as well as continuity in leadership, wherever possible, that made the most substantial contribution to progress. The smaller number of idle visitors and casual observers has already been noted.

The real significance of the Conference in this connection is found in the statistics gathered from the questionnaires. There were fifty-nine replies this year as against fifty-five last year. Fourteen testified this year that they were using the work of the Conference as a basis for seminar work, as compared with ten last year. Fifteen are using it as a basis of thesis work as compared with seven last year. Ten are using it as a basis for class papers, and thirty-five are using it in connection with their own research as compared with eighteen and thirty-one respectively last year. Twelve have reorganized classes on the basis of the work of the Conference, and thirty expect to be able to test out the value of the suggestions made and to report back to the Conference next year, as compared with ten and twenty-nine who gave the same answers respectively a year ago. In the building of this type of clientele, of men and women capable of sustained interest, returning each year with quickened enthusiasm, larger experience, and profounder wisdom, the Conference can render a most important and useful service, for it is through this type of aggressive scholarship that success will ultimately be achieved.

RESEARCH FELLOWSHIPS

It may not be inappropriate at this point to call attention to the research fellowships just announced by the Social Science Research Council. The purpose of the fellowships will be to find men who have real genius in research, who have a project that gives promise of definite accomplishment, and who have evolved a scientific method of attack that will insure results that are objective and tangible, and to make it possible for such a man to devote all his time and energy to the prosecution of his investigation until it has been completed. Such an arrangement ought to mark a new epoch in the field of social science research. It means opportunities for the young scholar of promise such as one would scarcely have dreamed of a few years ago. But the existence of these fellowships will not of themselves guarantee success. Whether or not the program will succeed depends upon the ability of the profession to make substantial gains in the problem of method. With such remarkable opportunities open to young men of genius who can present projects and propose methods that are scientifically sound, there should be an increased interest in the problem of method. It is to be hoped that the Conference can provide the needed stimulus, criticism and suggestion that will enable the younger men in political science to be able contenders for the coveted fellowships, and to make their full share of contribution to the development of scientific method in social science.

The final aspect of the Conference that merits discussion here was the growing conviction that the Conference had for the time being at least a permanent place to fill. The members voted unanimously to continue it for another year, and nine-tenths of those who answered the questionnaires indicated a belief that it should be indefinitely maintained. In many instances, however, it was made clear that this did not mean that it was not subject to great improvement. In fact, most of those who had the most definite conviction as to its continued usefulness were even more definite in their demands for improvement. The questionnaires contained innumerable suggestions and criticisms for the betterment of the Conference.

In order the more effectively to carry out the program of correlation stated above, the committee in planning for next year's Conference is seeking to have the directors formulate their programs well in advance. The members will then be urged to register early and the round table personnels will be assigned in time to make possible some preliminary work by the members before the Conference convenes. This plan can succeed only by the active and whole-hearted co-operation of the members, but if that is forthcoming the unprecedented success of the next Conference is assured. If those attending have tried out in advance, either personally or through their students, the proposed methods that are to be discussed, it will give to the round table deliberations a reality and validity that will enhance both their value and their interest many fold.

A SUBSTITUTE FOR THE QUESTIONNAIRE

A NATIONAL INFORMATION AND RESEARCH SERVICE NEEDED BY CITIES

BY C. A. CROSSER

Secretary, Toledo Commission on Publicity and Efficiency

If Koko, the civic-spirited public official in the comic opera, "The Mikado," were in public life today, there is no question but that he would add to his list of individuals who deserve to be decapitated, the senders of questionnaires. Most public officials have resorted to this expedient to obtain information while all assuredly have received these form inquiry letters and roundly denounced the senders. These questions range from a simple inquiry as to population, area, etc., to intriguing questions as to the number of postage stamps used by your city since 1901 and similar facts which would require a corps of experts to dig up.

THE QUESTIONNAIRE HABIT

The conscientious and obliging public official spends a considerable percentage of his working time during the year in replying to these inquiries. The other type of officer lines his waste basket with these form letters. But by doing so in many cases he fails to co-operate, in an effort which might be to his advantage. Some cities have departments of statistics where all the municipal lore is stored and to which all such inquiries are sent. In other cities municipal departments have an arrangement with the civic bureaus of the local chamber of commerce or municipal research organizations by which all such letters are referred to the latter to answer.

It would be interesting to send out to public officials, as a questionnaire, a request as to the number of their replies to these formal interrogations which are purely guesswork. Many answers from official sources on miscellaneous facts and data are far from accurate and therefore valueless for the comparative reports for which they are destined.

Why is this questionnaire habit? The answer is that municipalities are beginning to become curious about each other's experience.

American cities have been like ships sailing over the sea with no communication with one another, no maps or charts based on previous soundings, no means of signalling to one another. Each ship travels on its own course, proceeding slowly, while a man at the bow takes soundings with the lead as no maps are available; it avoids shoals and hidden reefs by good luck or crashes on them not knowing of their presence, or passes another ship without signalling or without any interchange of courtesies because one does not know the language of the other.

Cities are stampeded into wasteful experiments by popular clamor engineered by a few self-seeking individuals or glib theorists. Mistakes in methods of garbage collection and disposal, street paving, fire and police protection and health supervision have been made by one city after another simply because no city is familiar with the experiences of the other. No group of taxpayers who might have doubted the wisdom of some policy have been able effectually to interpose because it had no real facts on which to base its objections. Hilarious junketing trips at the city's expense have been camouflaged as thorough inspection trips to ascertain the most efficient practice in other places.

Chambers of commerce or boosting organizations, in their endeavors to laud their pet city to the skies and beyond, set out boldly in their pamphlets the delectable information that their city has the lowest tax rate in the world, little crime, the most schools and other as alluring facts. The truth may be that publicity committees in their zeal to prove the superiority of their city may have overlooked the fact that while the tax rate is low, the assessed valuation of property may be unusually high, or that there are few arrests and therefore few outward indications of crime because the laws are not enforced.

To sum up, it is exceedingly difficult to get fundamental and comparable facts relative to various municipal activities from most American cities.

A FOOT RULE NEEDED

What cities need are foot rules with which they can measure themselves and each other in similar terms. Obviously because of local deviations, it is impossible as well as unfair to compare one city with another with respect to certain facts unless they have been refined, so to speak, or reduced to a common basis. To take simple example, one cannot measure the total revenues of one city which operates its own electric light and street railway plant, with another city even though of the same size which does not have these municipal utilities. But these two facts may be refined by eliminating the revenue from the utilities, to make them comparable. Also it would be possible to ascertain about how many weights and measures an inspector should seal per day after finding out the average number inspected by sealers in other cities, after making sure that the governing statutes are similar.

Many comparisons between cities of the same census group which are within, say, 50,000 population of one another, fairly can be made in many matters in connection with the city's activities. What is the value of this? Suppose comparisons show that your city stands abnormally high or low. This should be considered at least as a danger symptom. This variation may be satisfactorily explained by some local deviation such as unusual topography, but on the other hand this may reveal top-heavy personnel, lack of sufficient personnel, or inadequacy of equipment which can be corrected.

Some efforts along this line have been made by various municipal research organizations and state municipal leagues. These, in making studies of various departments in their cities, utilize figures from other municipalities as a matter of comparison. While these usually are more reliable than those computed by booster organizations, yet they show a surprising variation in some respects. This is not to be wondered at, for the researcher is unable personally to visit all cities from which he may desire information. But on the whole such figures on tax rates, per capita fire and police costs and similar matters which have been prepared by various bureaus, may be considered as reliable as possible under the circumstances.

The United States government also gets out certain statistics about cities particularly with regard to finances and health, which are valuable. But one trouble with the government figures is that they are usually a year or two old when available.

A NATIONAL AGENCY DEMANDED

The need of accurate figures and facts about cities has been recognized for some time. The National Municipal League and the Governmental Research Conference now are considering the means of establishing a central clearing house for all such municipal information. City officials everywhere seeking enlightenment about their departments would welcome such an institution from which they might obtain reliable data on the experience of other cities, while other officials, whose letter baskets are knee-deep with unanswered questionnaires, would hail with cheers the establishment of some institution which would relieve them of the annoyance of having to answer these myriad inquiries, many of them on the same subject, in the course of a year.

As a city official into whose hands comes most of the questionnaires addressed to the different departments, I can see in a central clearing house of information for all cities, the possibility of a release for myself from many minutes spent during the year in looking up miscellaneous information. On the other hand, as a public official who is requested to ascertain certain facts from other cities for the information of our councilmen, officers and citizens, involving work which runs as high as 100 outgoing inquiries a month, I would rejoice if there were some central bureau to which I might write without feeling like a motorist who has just knocked down a pedestrian and has to borrow money from him to get some gasoline.

PROPOSED ORGANIZATION

As long as it costs nothing to construct such a bureau in imagination, I may permit myself to speculate the way such an institution would best suit the needs of my city.

To crystallize the idea, let us call this an Association of American Municipalities. Any city large or small would be eligible. Assessments from different cities for its maintenance could be based on population such as is done in the case of a number of state leagues of municipalities, or it could be based on the amount of service rendered.

For department organization, this institution could be divided into a number of bureaus, as follows—police and fire protection; building inspection; education; municipal utilities; thoroughfare, bridges and grade crossings; garbage and waste collection and disposal; parks and recreation; courts, penal and rehabilitation institutions; health and sanitation; city planning; finances and accounting; and general city government, including other miscellaneous functions such as elections, and legislative bodies. The above groups should in some way be cross sectioned so as to segregate cities of a given census group.

First of all, this bureau must obtain copies of the annual reports of every department in every municipality, even though it is only a typewritten copy. This information would be sifted and revised for comparative purposes. A monthly bulletin containing comparative tables and articles based on the above reports should be sent out to members.

Although he may not on his own initiative make the slightest effort to obtain comparative information about his department from other cities, yet your average city official is very much interested in such facts when brought to his attention. So this pamphlet service would enlighten a public official as to the relation his department has to similar departments in other cities and show him whether or not his trend is above or below normal. These leaflets, which would be accessible to chambers of commerce and other civic organizations, would serve to keep them on the alert as to how their municipality compares with others with respect to the cost, scope and efficiency of its various functions.

After this institution is established, most questionnaire letters received by public officials could be forwarded to the association to be answered.

MODEL PRACTICES

But another and more important function might be performed by this institution. From the mass of collected information giving every detail in cost, revenue, personnel, or work with respect to every department in every city, it would be possible for the researchers of this institution to set up patterns for a "model" fire, police, health or other departments based on the most successful practices in other cities. This would give cities an ideal to work for. As a matter of fact this is being done by the United States Public Health Association, which is making progress on a system for grading municipal health departments.

The above service would enable a city to "survey" many of its own functions and thus save sums which are now being paid to private survey organizations.

It would also make available to a critical minority authentic information upon which it could base its attacks on the incumbent administration, and conversely it would arm public officials with substantiated facts as to their own accomplishments with which they might defend themselves from baseless charges.

This institution also might serve another purpose such as is done by the New York Conference of Mayors and other Municipal Officials. Model ordinances on various subjects such as billboards, dance hall regulations, busses, licenses and other matters common to all cities, might be drafted by subcommittees composed of specialists. Many of the present city ordinances are weak in some particulars and strong in others. Ambiguous phraseology and loose construction invite litigation which costs cities large sums.

But these model ordinances drafted by experts would be sufficiently elastic to meet local requirements, would be comprehensive, require few subsequent amendments and as a result probably would not be the target for protracted litigation.

An institution such as this would not supplant the present state leagues of municipalities. There are certain matters peculiarly affecting cities in one state which only could be effectively dealt with by state groups.

This movement for a central clearing house of facts for American cities and laboratory for municipal experiments will crystallize sooner or later into something definite. The problem is that it shall be accomplished in the most adequate manner possible so that the movement need not be impeded by disappointments or unfulfilled expectations.

Meanwhile, the only means of exchanging experiences is by the questionnaire method, so that pending the establishment of this central institution, city officials will have to be patient when the morning mail discloses numerous letters containing the following familiar "may we have replies to the following at your earliest opportunity?"

HANDLING TRAFFIC VIOLATIONS OUTSIDE OF COURT

DETROIT'S "VIOLATION BUREAU"

BY S. E. ROSE

Detroit Bureau of Governmental Research

Most of our citizens are now operators of automobiles, which means that they are manipulators of potentially dangerous weapons, and as such make a large use of public highways, both as traffic channels and storage spaces.

This tremendous load of motorized traffic has burdened our city streets to such an extent that extensive restrictions for their discriminate use are imperative in addition to the required safety regulations. It has been found essential, therefore, to teach the public and to strictly enforce a comprehensive code of traffic regulations.

Public interest in reasonable traffic regulation is reached through wide dissemination of the printed statutes, press articles, lectures, instruction in the schools, special schools for drivers, and the examination of applicants for operators' licenses. Enforcement of these regulations is being carried out by the apprehension of offenders by the police departments, and the trial and punishment of offenders by the criminal courts. The detection and apprehension of offenders is or can be well taken care of by the use of a sufficient number of traffic and motorcycle officers, but the trial and punishment of thousands of petty offenders by means of the elaborate and expensive machinery of the criminal courts has placed a burden on these courts that they are in most cases unable to handle without costly expansion. However, inasmuch as judicial action in the disposition of these cases seldom goes further than the imposition of a nominal fine, the expansion of our courts to handle such appears unreasonable. The problem of an expeditious disposition of traffic law violations is faced by all our urban communities.

CREATION OF "VIOLATION BUREAU"

The penalization of offenders has heretofore been exclusively a matter of court jurisdiction, although about 98 per cent of traffic offenses are of so minor a character as to make this procedure appear unwarranted from a strictly practical viewpoint. Recognition of this, coupled with the emergency of an overburdened court in which hundreds of violators and scores of policemen fill court rooms and halls to overflowing on "traffic violators' days," has caused Detroit to create a "violation bureau" at police headquarters to dispose of most of these cases without court action.

In Detroit in May and June the average number of traffic violation complaints was about 300 per day, with many violations overlooked or disposed of by reprimands because of the practical impossibility of following up a larger number without neglecting more pressing duties, and the reluctance of police officers to spend an excessive amount of their own time in court. Even with this number, conditions were very unsatisfactory, not only because of the court congestion, but also because a large number of the officers were kept in court away from active duty, and because of the great inconvenience caused the citizens who were kept waiting from three to five hours for their cases to be heard.

On August 1, 1924, a new "violation bureau" was established to serve:

(1) As a clearing house for all traffic violation complaints.
(2) As a record for all traffic offenders.
(3) To dispose of all cases where the plea was guilty and judicial action was not indicated as necessary or heavy penalty desirable, and
(4) To send to court all serious cases and the cases of "repeaters" where the imposition of nominal fines had proved futile.

To carry out this project, a new type of card for reporting traffic violations was put in use. These cards are made out in duplicate, the original being given to the offender or attached to his vehicle, and the copy forwarded to the violation bureau. One side of the violation card is reproduced.

These cards are issued to the officers, and individual receipts taken, so that all officers can be held accountable for all cards used.

Reproduction of Card for Reporting Traffic Violations

Precinct No................. Violation Card No...............

DETROIT POLICE DEPARTMENT

Time......................A. M. P. M. Date.....................................192..

To...

Address..at....................................St. near

Operator's License No............................ Car License No.........................

To the Offender:

You are directed to report within 24 hours (Sundays and Holidays excepted) at the Violation Bureau at Police Headquarters, Beaubien and Macomb Streets. Office Open 8.00 a. m. to 10.00 p. m.

If You Fail to So Report a Warrant May Be Issued for Your Arrest and You Will Be Required to Answer to This Charge in Court.

BE SURE TO BRING THIS CARD AND YOUR DRIVER'S OR OPERATOR'S LICENSE WITH YOU.

Parking (Impounding)
..........Overtime
..........Improperly
..........In prohibited zone
..........In street
..........In alley
..........Within 15 ft. of fire hydrant

Parking (Other than impounding)
..........Opposite safety zone
..........In front of building entrance

Failure to Stop
..........At stop street
..........When leaving alley or driveway
..........With street car

Driving Through
..........Occupied safety zone
..........Street to left of street car

Speeding
..........Miles per hour
..........Exceeding half legal rate at street car lines
..........Exceeding half legal rate turning corners

Horn
..........Blowing horn except for signal

Lights
..........Both headlights out
..........One headlight out
..........Tail light out
..........Glaring headlights

Cut-out
..........Muffler cut-out open

License Plates
..........Missing
..........Obscured or dirty
..........Improper plates

Driving Licenses
..........No operator's license
..........Operator's license not on person
..........No chauffeur's license
..........Chauffeur license not on person

Signals
..........Failed to give proper signal

Reckless Driving
..........Endangering pedestrian
..........Car not under control
..........Violating right-of-way

Violation other than above, if any..
....

Place where violation occurred..
....................................St. At....................................St.
Ave. Near
Patrolman.............................. Badge No...............................

The reverse side of the card carries the following instructions to offenders:

To the Offender:

When you appear at the violation bureau—

1. If your record for the past year has been satisfactory, you will be allowed to pay a sum of money or, if you prefer, to go to court to stand trial for your violation. If you make the requested payment it will be turned into the general fund of the city in the same way as if it was a fine collected in court, and there will be no further action taken against you.

2. If you are not guilty of the violation charged, or if for any other reason you care to pay the sum required, you must appear in court for trial and must wait at the bureau until you are served with a summons to appear in court.

3. If you, although guilty of the violation with which you are charged, refuse to make the requested payment because you prefer to go to court for trial, the fine imposed by the court may be more or less than the deposit, or you may be sentenced to the house of correction or you may be sentenced to both fine and imprisonment, in accordance with the opinion of the court.

4. For subsequent offences, either (1) a greater deposit will be required, or (2) you must go to court without the option of making a deposit.

5. The amount of the required deposit varies with (1) the type of violation, and (2) the number of violations. The minimum amount is $1.00 and the maximum $10.00.

The duplicate copy of the violation record is the same on its face as the original, but the reverse is used as a memorandum by the reporting officer, as follows:

DETROIT POLICE DEPARTMENT

VIOLATION BUREAU

PATROLMAN'S REPORT

To be filled out only in those cases that may go to court

Defendant..
Address..
Owner of Vehicle...
Address..
Style of Vehicle and Make..
Operator's License No.......................... Car License No.........................
Violation...
....
Remarks:...
....

WITNESSES

....
....
....
....
....

Do not write here.
Receipt No..............................
Summons
Issued..............................192..
Warrant
Issued..............................192..

....
Officer Making Complaint.

....
Officer in Charge.

The reverse side of the duplicate card is filled out only in cases of serious, unusual, or flagrant violations, for which the offender may be sent to court for trial without the option of making settlement in the "Violation Bureau." When the officer making the complaint has completed his record and turned the card in to his precinct, he is not required to give any further attention to the case, unless notified by the violation bureau that he will be required to appear in court. This notification to the officer is made by returning to him the violation card he sent in and a copy of the court notice issued by the violation bureau.

The card served upon the violator directs him to report to the violation bureau. When he appears at the bureau, he is, except in the more serious instances, permitted to make payment according to a fixed schedule or if he so desires, he may go to court for trial. If the offender prefers to go to court, he is forthwith served with a court notice. In the first month of operation, no one who was given this option of making payment failed to take it.

When the payment is made, a receipt is made out in duplicate. One copy is issued to the offender when he makes payment and the other is filed as a check on the money received. The money is forwarded daily to the city treasurer. The accounts are audited monthly.

This system in effect permits the offending citizen to fine himself to serve his own convenience and the convenience of the public departments concerned. It was put into effect after an understanding was reached with all the officials concerned, including the judges of the criminal court and the legal departments of the city and county. It has, as yet, not been sanctioned by the passage of a city ordinance, but this will probably follow in the near future. An informal approval of this scheme was obtained from the city council prior to its being placed in operation. It is evident that at present these orders of the police are not legal summons and that offenders may ignore them at will. However, such procedure would result in the issuance of a summons personally served. During the introductory period an expected number of these orders were ignored. Such cases are now being followed up vigorously by the police. The new system has had the support of the press and has been given full publicity.

RESULTING BENEFITS

The first month's operation of the violation bureau showed that the police department made 17,034 complaints against motorists during the month as compared to 9,338 in the previous month. The bureau handled 12,681 cases and collected $32,909 in the nature of fines. The courts have been relieved almost entirely of the burden of hearing traffic cases and enabled to give more time to criminal cases. In July, 5,630 traffic cases were tried, while in August only 224 were sent to court. Under the old system traffic law violators averaged three and one-half hours in court awaiting trial. The average time for settlement of such cases in the violation bureau is less than five minutes. Police salaries should go into keeping officers on the job. During July over 300 police officers spent a total of 1,050 hours in court awaiting the hearing of traffic cases, but in August the officers spent only 45 hours in court. This means that busy congested corners had increased police supervision and that motorcycle officers kept closer watch for violators. Everyone concerned has been benefited—the courts, the police, and the violators.

The police department has made every effort to play fair with the public, and in about 8 per cent of the complaints, where a substantial doubt existed or a warning seemed the only action warranted, the complaints were withdrawn. However, only the chief of the bureau is empowered to withdraw complaints. Omitting the withdrawn complaints, 98¼ per cent of all the rest were settled by payments to the bureau and 1¾ per cent were sent to court for disposition. This ratio is 57:1. The whole number of cases handled would have averaged 550 per day for the court, which would have more than taken up all the time of one judge and his court room staff. Whereas, with the sifting out and disposition of the unimportant cases by the bureau, only the equivalent of one day's time in a month was consumed by the court.

To summarize the results obtained, the Bureau has:

(1) Relieved congestion in the traffic division of the criminal court.

(2) Done away with the holding of large numbers of police and traffic officers in court, waiting to testify, away from active duty.

(3) Relieved accused drivers of long waits in crowded court rooms, which usually consti-

tuted more of a hardship than the penalty imposed by the judge.

(4) Instituted a more complete and unified record of all traffic offenders, so that "repeaters" can be more readily identified and severer penalties imposed.

This weeding out of the minor violators of traffic ordinances from the courts, and their disposal through a business bureau operated by the police, is to be extended to include the violators of miscellaneous ordinances covering sanitation, smoke prevention, sidewalk cleaning, rubbish and garbage disposal, etc. It is felt that an extensive campaign toward cleaning up the city can be carried out in this fashion without placing any undue burden either on the police department, the courts, or the public.

THE PRESERVATION OF THE INTEGRITY OF THE CITY PLAN

BY EDWARD M. BASSETT AND FRANK B. WILLIAMS

Directors of Legal Division, Regional Plan of New York and Its Environs

The police power offers the best method by which the city plan can be protected. :: :: :: :: :: :: :: :: ::

It is evident that in the construction of a city which shall afford its inhabitants an opportunity of transacting their business economically and efficiently and of living in comfortable and healthful surroundings a city plan is essential. A city grows slowly. Of necessity, its streets, docks, playgrounds, and other public works are constructed from time to time as present needs demand and available funds permit, the requisite land being purchased as required. Any other policy would bankrupt the city and be impossible even if it were not prevented by the tax and debt limits that the state invariably imposes upon its municipalities. It follows that the only method of making sure that these public works for whose completion such a long time is needed are constructed economically and in such a way as best to serve the ends for which they are intended, is the formulation in advance of a plan of these works as a whole, to which the sections as they are built shall conform.

In order to ensure that the city shall be built according to plan it is necessary not only that a plan shall be made but that it shall be followed. For that purpose two things are needed—that the city itself shall conform to the plan throughout the time required for the completion of the enterprises included in it, and that the owners of the land embraced in it shall not encroach upon it, and render it abortive by the erection of improvements which the city cannot, without undue expense, acquire and demolish in the progress of its work. To the accomplishment of the first of these objects there is no legal difficulty. A statute providing a method by which a city may adopt a plan of certain of its major features, and shall build them only according to the plan or amendments of it adopted with due deliberation, is unquestionably constitutional. The problem is to secure the second result in a constitutional manner. For the present let us limit ourselves to a consideration of this question in so far as it affects the street system.

CONTROLLING THE BED OF MAPPED STREETS

The solution of the problem of preventing the building of structures in the bed of mapped streets would be perhaps the greatest service that could be rendered the cause of city planning at this time. One great reason why city officials do not take more interest in making a complete map of the city street system is because they can see no way to preserve the map from such encroachments upon it. No city can afford to buy at once all the land it needs for future streets; and to open them and assess their cost upon the abutting land, which in the outlying districts is mostly devoted to farm use, long before it is needed for building development, would be an intolerable hardship. It is not that the streets themselves are needed for present use but that the integrity of the street plan should be preserved for the future.

Is there a sensible and constitutional method of preserving the integrity of a city plan and preventing private owners from building structures within the bed of mapped streets? If the land owner is free to build within such a street, he can erect a row of valuable houses across a future street or regardless of an intended widening, as has been done in many instances in the city of New York. When the city proceeds to open or widen the street it can, of course, condemn and remove these houses, but the city is compelled to give compensation to the owners and this compensation, sometimes very great, must be in whole or part assessed on the property benefited. In some cases the burden is so great that owners of vacant land petition the city not to open such a street. The city then tries to alter the map to accomplish an equivalent result. This, however, is usually difficult. Consequently the city map is changed from time to time on account of construction within streets. Streets that should be wide are made narrow. Sometimes needed streets once shown on the official map are omitted entirely. In the city of New York the integrity of the city plan has in some locations been entirely ruined on this account. An owner of land within a mapped street can prepare his plan for a building, present it to the building department, and if a permit is refused he can obtain from the court a writ of mandamus to compel the building commissioner to issue the permit. Inasmuch as the owner would be deprived of the use of his land if he cannot build a house, and this deprivation according to court pronouncements in New York and elsewhere amounts to confiscation of his property, the court will compel the granting of the permit. It has also been held in New York and elsewhere that any law providing that compensation shall not be made for a building placed within street lines is unconstitutional. These courts are not likely to alter their attitude. Where the structure is partly within the street or comprises merely an alteration, the provision for non-payment might and perhaps ought to come within the field of regulation where no compensation need be made. But where the entire lot and structure or a major part of it is within the mapped street an absolute prohibition would appear to be confiscation.

It should not be thought that all

persons who desire to build structures within mapped streets are trying to injure the community for their own private profit. Sometimes a man may own a building lot which lies entirely within the bed of a mapped street, but has a frontage on an opened street. It is a real hardship for him to be compelled to pay taxes indefinitely on his land and yet be prevented from putting up any building which can earn him an income.

Suggestions have been made that if such an owner desires to erect a building he should give notice to the city so that the city might within a certain space of time, say six months or a year, proceed to open the street. Failing this the land owner might obtain his permit and build his house. There is danger that such a plan would prompt many people to give notice in order that they might compel the city prematurely to open streets. It would be a mistake to let a single property owner have the power of dictating to the city when it ought to open a street. As a rule it is time enough for a city to open a street when the land owners are willing in whole or part to make deeds of cession.

THE POLICE POWER AND THE CITY PLAN

Little has been written or said about a city plan being related to the police power, yet municipal conveniences and necessities, the maintenance of which affect the health, safety, morals and general welfare of the community, are protected by the police power. Why should not the city plan be protected by the police power? Imagine a new city that grew up over night without streets. Its houses would be a miscellaneous jumble. There would be no public access to houses, stores and factories. There could be no adequate fire or police protection because there would be no thoroughfares for moving protective appliances. There could be no system of sewers, water, gas and electricity, and garbage could not be removed. The first requisite of a new city is its street layout. Private land has no usefulness if there is not a system of public streets. Why then should not the system be protected by the exercise of the police power up to the time of the vesting of title to the street in the city? It is for the health, safety and general welfare of the community.

In order to put the above suggestions into concrete form the legislative bill, hereto annexed, was drawn, amending the charter of Greater New York. The reason why this method was used instead of a form suitable for all of the states is because the charter of New York contains careful provisions for the board of appeals, its procedure, review of its decisions by the court, etc. Many states have provided in their own way for boards of appeal in building matters. Such states can adapt the words of the bill to their needs or if they have not a body of law regarding boards of appeal they can refer to the New York charter.

The fundamental reason for bringing police power protection and the board of appeals into the preservation of the city plan is that the courts in many cases have stated that they will assist the regulation of land under the police power where it is reasonable regulation and not confiscation. The reason why attempts to prevent buildings in mapped streets have been to a greater or less extent unsuccessful in the past is because there has been no plan of regulation which the courts considered fair to the land owner or which prevented actual confiscation.

THE LAND OWNER'S POSITION

The plan suggested in the annexed bill assumes that, if the land within a mapped street is like agricultural land yielding a fair return to the owner, it is a reasonable regulation to prevent his putting up his structures within the street lines. The farmer has other land where he can erect his barn and shed. He could hardly come into court and show that while he was tilling his farm he was subjected to confiscation by reason of a regulation which prevented him from putting up some of his farm buildings within the bed of future streets. When, however, land is not yielding a fair return, it is a real hardship to an owner within a street if he cannot make it earn something and perhaps the only way that it can be made to earn is to put up a building. In such a case after his application to the building department is refused, he can take his building plans to the board of appeals. The board of appeals can then adjust them to the reasonable need of the particular situation. In an outlying district it might allow a frame one-story building without a cellar which would be quite inexpensive to remove when the street was opened. If the land owner proposed to build a four-story masonry block of houses across the mapped street, the board of appeals could insist that the portion of the block within the street should be one-story high and of inexpensive construction, pointing out to the applicant that after the street was opened, these less expensive buildings could be removed and his two four-story masonry buildings at the corners would become desirable corner properties. In the meantime he could be earning four or five per cent on his buildings within the street together with taxes. New buildings could quite readily be made to set back to conform to a street widening. A thousand different adjustments might be made by the board of appeals, each adapted to the specific case, and which would prevent unnecessary hardship.

If, after his hearing before the board, the owner refuses to build under such a permit as the board of appeals may grant, claiming that he is entitled as a matter of right to put up any building that he desires, he will be confronted by a dilemma. He can apply for a writ of mandamus against the building commissioner in order to bring before the court the question of constitutionality. The court will in all probability declare that the city plan must be protected in accordance with the law which declares that its maintenance is a matter of health, safety and general welfare, that he has had his hearing before a board which has power to adjust his specific case so as to prevent confiscation and yet maintain the street plan, that he would have been allowed to put up a building which would have earned taxes and a fair return on the value of his land within the mapped street, that therefore his land was not being confiscated, but on the contrary was being subjected to fair regulation in the interest of the community, and the court would accordingly refuse to compel the building commissioner to issue the permit. The other horn of his dilemma would be to ask the court to review the acts of the board of appeals on the ground that it had acted contrary to law or exceeded its powers. Such a court proceeding, however, would presume the validity of the law itself in the case of the owner and would not result in a judgment of confiscatoriness. Moreover it is a rule of law that a litigant must exhaust the remedies given him by the statute, such as his right of adjustment by the board of appeals and the review of it by the court, before he can bring up the question of arbitrariness, unreasonableness or confiscation in a direct action.

FEW COURT CASES WOULD ARISE

When one considers that for the most part land owners recognize mapped streets by placing their buildings on the abutting land and the few who find it desirable to build within a street will dislike to go to the board of appeals unless they are prepared to comply with the adjustment of that board, it can be seen that only a few court cases would arise even in the city of New York.

One of the most striking points of the court decisions in zoning cases that involve the decisions of the board of appeals is that the courts are alert to support regulation and to distinguish regulation from confiscation. These decisions always mention that the zoning plan is declared by statute to be based on the police power. They further emphasize that the board of appeals is presumed to be an expert body.

Parks are purposely omitted from the suggested bill. It would be a great hardship on private owners if the city could place large parks on the official map and thus prevent buildings. A city should acquire a park soon after it is placed on the city map, or else take the consequences of the erection of buildings. If the street plan can be preserved, the main thing will be accomplished.

The reader will be interested to learn that the bill for preserving the integrity of the city plan, under the police power, as given here received the approval of the present administration of Greater New York and was introduced (Senate Introductory Number 1827, 1923) in the legislature of New York, but failed of passage. A similar proposition was included in the proposed new charter of Greater New York, prepared by the recent charter commission; also in a law amending the charter of the city of St. Petersburg, Florida, passed by the legislature in 1923, which failed of ratification by the people of that city; also in the charter of Nassau county, New York, passed by the legislature in 1923, which will be voted on by the people of the county in 1925.

EMINENT DOMAIN AS A METHOD

In another form the same idea is making progress in Massachusetts. In that state the Federation of Planning Boards is advocating a bill for the preservation of the street plan by eminent domain. The bill empowers municipalities to acquire an easement in planned streets not yet opened, which will prevent land owners from building in their bed. Under the procedure authorized, the city appropriates the easement, leaving it to the land owner, if he sees fit, to claim damages within a fixed period. The same method is employed, with success, in Massachusetts in acquiring set backs, the land owners seldom suing because of the fact that their benefits from the establishment of the set back, as a rule are at least equal to their damages. This, it is believed in Massachusetts, will be the result in the establishment of street plans by the same procedure. The Massachusetts plan is not adapted to the legislative methods of New York and other states where owners in condemnations by municipalities are made parties to an action; and if the parties do not appear awards are made to unknown owners. Under such a procedure some owners will always make formal claims for damages and this virtually compels others to do the same. To some students of the subject, the method employing eminent domain seems more conservative. To the writers, however, as in zoning, it is only the exceptional case which presents legal difficulties; and, as in zoning, they believe that with the hardship and injustice of such cases eliminated, the use of the police power is reasonable and constitutional. Under the police power, also, there is as in zoning a flexibility which cannot be obtained by eminent domain; for permission to build in the bed of mapped streets, in the exceptional case, can be granted with conditions devised to fit the special circumstances of the case. In this matter, however, as in so many others, it is for the legislators of each state to decide what is best suited to its needs and will best fit in with its existing laws and methods.

A PROPOSAL FOR PRESERVING THE INTEGRITY OF THE CITY PLAN

AN ACT

To amend the Greater New York charter in relation to the official map and plan, to prevent buildings in streets shown on such map and plan, and to empower the board of appeals to grant building permits in certain cases.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1.

Chapter VI of the Greater New York charter is hereby amended by adding after section 442 a new section to be known as section 442a, as follows:

Sec. 442a. Such map and plan is established to conserve and promote the public health, safety and general welfare. Accordingly for the purpose of preserving the integrity of such map and plan no permit shall hereafter be issued for any building in any street laid out in such map and plan, provided however that, if the land within such mapped street is not yielding a fair return to the owner, the board of appeals shall have power in a specific case to grant a permit for a building or buildings which will as little as possible increase the cost of opening such street or tend to cause a change of such map, and such board may impose reasonable requirements as a condition of granting such permit, which requirements shall inure to the benefit of the city. Before taking any action authorized in this section the board of appeals shall give public notice and hearing.

Section 2.

Section 718d of chapter XIV–A of the Greater New York charter is hereby amended so that it will read as follows:

Board of Appeals. Sec. 718d. The appointed members of the board of standards and appeals and the chief of the uniformed force of the fire department, exclusive of the other members, shall hear and decide appeals from and review any rule, regulation, amendment or repeal thereof, order, requirement, decision or determination of a superintendent of buildings made under the authority of title two of chapter nine of this act or of any ordinance or of the fire commissioner under the authority of title three of chapter fifteen of this act or of any ordinance, or of the labor law. They shall also hear and decide all matters referred to them or upon which they are required to pass under any resolution of the board of estimate and apportionment adopted pursuant to sections two hundred and forty-two-a and two hundred and forty-two-b of this chapter. *They shall also hear and decide applications for permits for buildings in streets laid out in the official map and plan of the city as provided in section 442a of chapter VI hereof.* No member of the board shall pass upon any question in which he or any corporation in which he is a stockholder or security holder is interested.

Hearings on appeals shall be before at least five members of the board of appeals, and the concurring vote of five members of the board of appeals shall be necessary to a decision.

The words board of appeals when used in this chapter refer to the said appointed members of the board of standards and appeals and the chief of the uniformed force of the fire department, when acting under the powers conferred by this section.

NOTE. New matter in section 718d is in italics.

BOOKS AND PUBLICATIONS

The Constitution of the United States. By Raymond Garfield Gettell. New York: Ginn & Company, 1924. Pp. 213.

Since the revival of American patriotism in the years following 1914, a number of states have passed laws requiring that the constitution be studied in our schools. What this requirement might imply in actual pedagogical practice the legislators probably did not have in mind. But enterprising publishers have sought to make the task of schoolmen in fulfilling the requirements of these laws easier by providing manuals, not of general civics of the new type, but of facts concerning the constitution itself. This volume is one of these manuals. There are chapters on the making and development of the constitution, the political theories upon which it seems to rest, the international government, and one each on local and party government. The condensation enforced upon the author by the limitations of the size of the volume has been achieved by the inclusion of the strictly traditional, rather than the striking. The style is simple and clear cut, the subject matter well paragraphed, and the chapters are provided with suitable teaching helps. There is no apparent effort, however, to stimulate the discussion of unsettled questions, and little information concerning social and economic issues which might give vitality and meaning to a discussion of the constitution as it exists to-day.

Raymond Moley.

Columbia University.

❖

Community Forces. By R. D. McKenzie. New York: Reprint from the *Journal of Social Forces*, January, March, May, 1924. Pp. 24.

The analysis of the election returns in the city of Seattle for the last thirteen years has revealed some very interesting data, indeed. Many of the conclusions, it is true, differ but slightly from the oft-repeated observations of those sagacious impressionists we call practical politicians. Nevertheless, even the documentation of what appears to the profession to be obvious is exceedingly important. Through it many a popular delusion may be shattered. In this class is the deduction that the public as a whole is inclined to be conservative, certainly not startling to the modern political scientist, nevertheless useful for public dissemination. Nor are there many within the ranks who will be surprised to discover that a comparatively small number of persons in the average city try to dominate it. Even the public is cognizant of the fact that wolves frequently disguise themselves in sheep's garments, that private interests often attempt to promote their own ends in the guise of community well-being.

Not so well known, perhaps, is the fact that the less mobile portion of the community is very likely to control its political destinies, and yet the observation has long been current that residence in a district is a considerable asset in a political campaign. The attempt to measure the force of district consciousness is an innovation equalled only in interest by an analysis of the influence of class prejudice which is set forth in ensuing pages. That both elements play a tremendous part in local politics has long been known. That the one exerts its influence primarily upon administration; the other, upon legislation has not, perhaps, been so widely realized. Possibly the most interesting conclusion of all is that which deals with the power of the press. "As an advocate," says the author, "the newspaper is most effective in determining the fate of a new political issue or of a candidate who is making his first attempt to enter public life. Once a measure or a candidate has become the subject of popular discussion newspaper comment has but little significance."

The data upon which these conclusions are based, and the analysis and interpretation thereof certainly deserve the consideration of every political scientist interested in the field of practical politics, or in the general problem of the formation of public opinion.

Schuyler C. Wallace.

❖

The Political Parties of To-Day. By Arthur M. Holcombe. New York: Harpers, 1924. Pp. 392.

"What do the political parties of to-day stand for?" The answer to this pertinent and ever recurring question Professor Holcombe seeks not in political theory nor in the platitudes of party platforms, but in economic facts. After showing that the paramount issues in national politics are of necessity economic rather than constitutional, the author seeks the economic background upon which a picture of party activity may be drawn. This is found in the economic geography of the great sections of the nation; the cotton belt, the corn and wheat belt, the hay and pasture region, the great plains, the mountain region, and the Pacific belt. By a careful and ingenious examination of the results of congressional elections the fact emerges that the sources of Republican strength are about as truly sectional as the Democratic "Solid South." Republican solidity is in the hay and pasture region from Minnesota to Maine and in the corn belt from Pittsburgh to Des Moines. Here are a block of permanently Republican districts that by the rule of seniority in congress and by the natural leadership of long service have dominated the economic policies of Republicanism for a generation. A series of historical chapters makes application of this economic thesis to the narrative of national party conflicts. Professor Holcombe wisely refrains from proposing "third party" panaceas or prophecies of realignment. He is content to conclude his realistic account of party history and life with a mere recital of the factors which must enter into any new developments in party antagonisms.

This book, with the earlier contributions of Beard to the economic history of parties, goes far in pointing the way for the development of really scientific methods in politics. Nothing more valuable has been added to the literature of politics in America in several years.

Raymond Moley.

Columbia University.

* * *

Public Utility Regulation. Edited by Morris Llewellyn Cooke, M.E., Sc.D. New York: Ronald Press, 1924. Pp. X, 310.

This is a volume of essays on various aspects of public utility regulation. Eighteen experts have contributed. These include with the subjects treated: Felix Frankfurter, "Introduction"; Ernest S. Bradford, "The Field of Regulation," and the "Technique of Conducting Actual Cases"; Milo R. Maltbie, "Federal Courts and Utility Regulation"; Charles M. Fassett, "Regulation and the Franchise"; Donald R. Richberg, "Major Problems Presented to State Commissions"; Clayton W. Pike, "Electric Service Standards"; Delos F. Wilcox, "Water Service Standards," and "Co-operation between State and Local Authorities"; Willard F. Hine, "Gas Service Standards"; Roy Husselman, "Electric Railways Service Standards"; Munson D. Atwater, "Telephones Service Standards"; C. W. Koiner, "Bases of Rate Making"; John Bauer, "Holding Companies and the Authorization of New Capital Issues"; H. K. Hathaway, "Cost Finding as an Aid to Effective Regulation"; Benjamin H. Williams, "Regulation of Motor Conveyances"; Henry T. Hunt, "Labor Policies and Public Utilities"; Charles E. Merriam and Harold Lasswell, "Current Public Opinion and the Public Service Commissions." The editor, Mr. Cooke, contributed a "Foreword on Service Standards," and chapters on "Nationwide Organization of the Utility Industries," and "The Public Service Commissionership as a Factor in Government."

The purpose of the volume is best indicated by a short quotation from the preface:

> It is believed that the material here for the first time published will be of value to all interested in the subject whether as public officials, public utility officials or investors, or representatives of the public at large. For the purposes of a college text in political science and government the volume has special value in that it does not confine itself to a discussion of court and commission rulings, but treats regulation rather as a living, growing and changing policy of government. Regulation is painted in the light not only of what now is best, but with a view to what may and probably will be best.

Mr. Cooke has gathered the work of the leaders in the profession and the material is uniformly good. The assignment of subjects is first rate. The field, of course, is broad, and its exact metes and bounds are hazy. All the important phases of the subject have been handled, however, in an intimate way, including not only the usual problems of valuation, rate making and service standards, but also the actual procedure in conducting cases, labor policies, the relation of the state and its subdivisions, current opinion, and the development of national organizations.

One of the purposes, as stated above, is to provide a college text. No doubt, many teachers who have been painfully, almost wistfully, searching for a college text will welcome this compilation. It is distinctly readable, and broad in its application. With lectures to fill in portions more fully, and with possibly the use of a case book on public service corporations, an admirable course is possible.

The volume is pro-regulation and suspicious of utilities. Probably this results from the fact that many of the authors have devoted their lives to defending the public interest in actual disputes. The bias, however, is not great, and no more than compensates for the pro-utility material in current magazines. It errs, if it errs at all, on the side which is least well represented in current literature.

Its positions on rate making are a pleasant clarification of muddy judicial decisions. The statements in regard to the "Public Utilities Reports Annotated," from pages 298 to 302, are worth noting.

HARRY A. BARTH.

University of Oklahoma.

RECENT PAMPHLETS AND REPORTS

Report on Assessment Methods.—The City Club of Philadelphia has published a committee report on real estate assessment methods pursued in that city which supports the results of investigations into experience elsewhere under the historic, hit-and-miss system of appraisals in the hands of nondescript amateurs. The report reveals that two assessors are appointed for each of the city's thirty-eight assessment districts by the Board of Revision of Taxes, which is in turn appointed by the court of common pleas. Very little effort, however, is made to instruct the assessors in their work and none of the devices associated with the systems of mechanical assessment are employed. Personal interviews with a goodly number of the district assessors reveal the general belief that "horse sense" is a better guide than any rules or tables that can be devised. The report concludes with recommendations which would place Philadelphia among those cities employing scientific methods of assessment. Karl Scholz was chairman of the committee which prepared the report.

⁂

Uniform System of Accounting for County Treasurers in Nebraska.—Pursuant to a law enacted in 1922, the state auditor of Nebraska has prepared a pamphlet containing details pertaining to a uniform system of accounting for county treasurers of that state. Among the things introduced or insisted upon are the following: Properly arranged daily balance book, looseleaf voucher record, separate handling of special improvement taxes, special temporary receipts for protest taxes, monthly closing of redemption account, comprehensive record pertaining to bond and coupon payments, and a comprehensive record pertaining to transactions with depository banks. Underlying principles are briefly stated, rather than arbitrary rules. While the pamphlet contains nothing new, the matter is presented in very good form.

A. E. B.

⁂

Washington State Department of Efficiency Report.—The department of efficiency of the state of Washington has just issued its second biennial report. This report is especially noteworthy, not only for what it contains, but because of some unique things which have been started by the department under the able directorship of L. D. McArdle. The department of efficiency was created by the civil administrative code of 1921, which reorganized and departmentalized the state administration. It is one of the ten departments established by the code and is in reality the department of finance and budget of the state government. The work of this department should be brought to the attention of other states. Many good suggestions may be gained by a perusal of this report. State fiscal officers, especially, should secure a copy of it and read it.

Among the accomplishments of the department of efficiency, as enumerated in this report, are: the enforcement of a plan for current budget control, the preparation of a state budget for the governor and the legislature, the classification of state employees, the preparation and approval of all forms dealing with fiscal matters, the installation of uniform accounting, the preparation of a complete financial history of the state, the collection of data for the equalization of property, the recording of all state property and the installation of property records, and the survey of all departments as to their business methods. Mainly through the control and supervision of this department an overdraft in the general fund of more than one million dollars on April 1, 1921 (when the department began to operate) has been changed to a balance of over five million dollars on September 30, 1924. The tax levy for the general fund, which was 4½ mills in 1921, has been gradually reduced each year since and finally eliminated in 1925. This was made possible largely by enforced economies in expenditures and by much better collections in other sources of revenue for the general fund.

A. E. Buck.

⁂

Detroit Bureau of Governmental Research Reports on Sewage Disposal.—A report recently prepared by the Detroit Bureau of Governmental Research for the commissioner of public works discusses the problem of sewage disposal which confronts Detroit. While the report is intended to interpret technical questions for the layman, it is of interest to engineers as well.

Under a treaty between the United States and Canada an international joint commission has adopted a maximum of allowable pollution of boundary waters, and the degree of sewage treatment necessary at Detroit is affected by this standard. Detroit's own water supply, and cities, bathing beaches, summer homes and pleasure resorts on the Detroit river below Detroit must also be considered. A summary is given in the report of various investigations made of the situation. It is shown in this summary how the discussion of methods of treatment narrowed down to the use of screens or sedimentation tanks, with or without sterilization of the effluent.

The engineer of the bureau accompanied members of the common council and city officials of Detroit who inspected various sewage disposal plants. At that time and later other plants were visited by the bureau engineer, and the operation of installations in eleven cities is described. From these inspections and other studies it appeared doubtful that screens offered the best solution. Questions are also raised concerning the activated sludge method of sewage disposal as a way out for Detroit.

Many of the plants examined were operating under conditions unlike those at Detroit, and the bureau recommends that the common council acquaint itself with comparable installations. It is also recommended that the city construct experimental plants to gain more accurate knowledge of obtainable results. Finally the bureau advises the appointment of a commission of three or four sanitary engineers of high standing to study the problem and reach a technical and scientific solution.

Since this report was issued, the mayor of Detroit has appointed a committee of five engineers to study and plan a sewage disposal system.

C. A. Howland.

NOTES ON PUBLICATIONS ABROAD

EDITED BY W. E. MOSHER

Planning of Metropolitan Areas.—The complete issue of *Le Mouvement Communal* of November 15, 1924, is devoted to a discussion of the reports and programs for what we call the planning of metropolitan districts and what is called in French the "urbanization des grandes agglomerations." It was published preliminary to a national conference on regional planning which was held in Liège on the 29th and 30th of November.

The first article deals with the methods in force in foreign countries. It sets forth in an introduction the standards that have been accepted by progressive cities and countries and then outlines the progress that has been made in outstanding instances. A brief review of the situation in England is followed by a lengthier discussion of the investigations being carried on in New York City by the commission headed by Thomas Adams, and secondly, by a summary of the achievements of the Cleveland City Planning Commission. The most important section of the article has to do, however, with the work and plans of the Association for the Colonization of the Ruhr Basin. The writer considers that, in view of the achievements of this Association since 1920, "the Ruhr is actually the only region in the world where the theories of 'urbanization' have been applied in an integrated way." A brief review of the scope of the Ruhr problem and the laws governing the activities of the Association, as well as the outcome of its efforts, is followed by an outline of its organization and methods of administration. Taking it all in all, one has within the compass of eight pages a very good bird's-eye view of the status of the "urbanization" movement.

The second article, which was prepared by a Belgian "architecte-urbaniste," contains a plan of organization and methods of carrying on an organic program for the urbanization of large areas. So far as the organization is concerned, the writer urges the establishment of a national commission attached to the ministry of agriculture and public works, whose members would be appointed by the king. It would have an inspectional service with branches in the various provinces. It would, of course, be the function of the commission to establish minimum standards governing the beautification, the extension and development of the cities of the whole country. Specifically, it would be engaged in elaborating plans particularly in graphical form, in developing statistics and a continually growing body of information that would throw light upon the methods to be followed throughout the nation.

One of the most interesting features recommended is that all of the organizations which in any way would have an interest in the problem should, through representatives, be associated with the commission. There would be represented such interests as the following: archeological, biological, geological, hygienic, agricultural, forestry, industrial, legal, transportation and the like. All plans and projects for changes and improvements would be passed upon by the representatives affected. This commission would also have its branches through the provinces and the regional subdivisions into the local communities.

It will appear that the suggestion for this commission on urbanization is most comprehensive and detailed. It represents the Ultima Thule of those interested in regional and city planning, and will be found to be a treasure trove of suggestions.

*

German Year Book for Local Authorities, 1924–25.—There is probably no single work available in any language that gives so many facts and so comprehensive a review of current conditions and problems of local government as the 450-page year book called "Deutscher Kommunal-Kalendar." It contains the titles and names of officers of a lengthy list of municipal, communal and state associations and organizations of public employees, as well as the names of the officials at the head of the various units in the state and federal governments of Germany. A further section is devoted to the names of foreign leagues of municipalities with lists of officers and other pertinent information. To this is appended the titles and a brief characterization of recent important German and foreign works bearing on Governmental matters.

About one half of the volume is devoted to contributed articles signed by men whose positions are a guarantee both of authority and merit. The articles are comparatively brief (three to four pages) and offer a bird's-eye view of the special subject considered. These subjects center about current problems and, taken all together, offer a kind of composite picture of present-day rural and urban Germany. They range from the probable influence of the Dawes plan on city and township and the loss of independence on the part of local authorities to a discussion of such matters as rural culture and municipal crematories. Finance, housing, education and health have their due place. As the editors indicate, proper attention has not been given to administrative technique, nor to municipally run public utilities, on account of lack of space.

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Relationship Between Central and Local Authorities.—What amounts to an international reaction against the process of centralization, which advanced so rapidly during the war, is evidenced by such resolutions as those of the Association of German Mayors, quoted in the last issue of the REVIEW, and the one passed by the deputy mayors, a branch of the Federation of the Mayors of France, cited in the *Revue Municipale* of recent date. The latter resolution was unanimously adopted, and consisted of a protest against the suppression of the administrative and judicial authority of the districts. It urged "a reform for the purpose of realizing administrative decentralization within the framework of existing divisions."

Further, an English writer, the town clerk of Birmingham (*Local Government News*), takes as the keynote of his article on the right of appeal to government departments the statement that there should be "a far greater devolution of powers to local government authorities and without central control."

The last two issues of the *Journal of Public*

Administration carry articles of a more general character, one dealing with the "Local and Central Authorities in the Development and Maintenance of Roads," and the other with the "Relation of Central to Local Government." The latter article is of special interest because it offers in condensed form a survey and comparison of the development of this relationship in England, France, Germany and the United States.

✣

Public Administration in the University.—At the December dinner of the Institute of Public Administration (England) the question of offering courses in public administration in the universities was discussed by officials representing several universities in England and Ireland. The keynote was struck by the toastmaster, Lord Haldane, in his statement that administration is a science as well as an art, and the study of its first principles a very important study. It appears from a résumé of the various addresses that London is the only university at the present time offering instruction in this field, but that there is a disposition on the part of other representative educators to consider the subject of public administration as a branch of politics in the curriculum of the university.

Professor Adams (W. G. S. Adams, Oxford) expressed the conviction that "the study of public affairs can play a great and liberal part in the training of public administrators." The Vice-Chancellor of London stressed particularly the importance of the subject of biology for men and women who aim to become successful administrators.

According to the report, there were dissenting voices among the university officials, but the general impression was given that the subject had been opened up in a most promising way. —*Journal of Public Administration* (*London*), *January, 1925.*

✣

English Views on the City Manager.—Dr. I. G. Gibbon gives a summary review of the characteristics and growth of the city-manager movement in the United States which indicates a thoroughgoing acquaintance with the literature of this movement, if not first-hand contact with council-manager cities. The interesting feature in the article is the very definite conclusion that such concentration of executive responsibility as is represented in this type of government is not suited to the local government of England. In the writer's opinion this is an expression of "the full exuberance of the American spirit." He is willing to concede, however, that the English may derive worth-while suggestions from the council-manager form of administration, but considers that they are so "much more fortunately favored" in the field of local public administration that they would not have to resort to the "somewhat hectic efforts" made to overcome the defects occurring in the United States.

The chief criticism levelled at the council-manager system as at present operating is at the tendency of some managers "to dabble publicly in policy." The writer questions whether the largest cities in the United States will turn to this system of local government unless "some more effective means are provided than at present for clearly placing elsewhere the responsibility for matters of policy and, equally important, the public advocacy of them."—*Journal of Public Administration* (*London*), *January, 1925.*

✣

Measurement of Costs.—For those who are looking for progress in the methods of measuring the efficiency of government, a brief review of a memorandum (94–T), gotten out by the ministry of health in England, will be of interest. The memorandum gives a detailed analysis of the average cost per patient per week in 173 residential institutions. These costs are classified under such headings as the following: salaries and wages, meat, milk, fuel, light, etc. The average number of staff for each ten beds is also included, as well as the percentage of the beds occupied during the period reviewed.

On account of the varying conditions as to organization and costs, to mention but two, this report may be of only limited interest to public health officials and to students of administration in the United States, but from the point of view of the method of applying statistical measurements to public administration, the memorandum would seem to be of real importance.

GOVERNMENTAL RESEARCH CONFERENCE NOTES

EDITED BY ARCH MANDEL

Kansas City P. S. I. Extends Services.—In order to be of greater benefit to the people of Kansas City, the Public Service Institute added to its staff Dr. Robert A. Cummins as extension director. His function, somewhat unique in the municipal research field, is proving very effective. It is his job to speak to various groups in the city, informing them about the work of the Institute and disseminating information of public affairs procured by the organization. In emphasizing this phase of its work, the Institute is rapidly becoming a central source of information on all matters of local government.

The Kansas City Public Service Institute has devoted most of its time during the past year to assisting in the drafting of the new charter for Kansas City. At present it is doing its best to get the new charter adopted. The election will be held February 24. The prospects at the present time (three weeks before the election) look very favorable.

*

Action of Newark Chamber.—By a vote of five to one the members of the Chamber of Commerce of Newark, New Jersey, favored the adoption of the report of its Municipal Affairs Committee, advocating the council-manager form of government. Notwithstanding this decisive vote, the Chamber will carry on a thorough campaign of education before any attempt will be made to have the people vote on the adoption of such a charter. In this campaign of education by the Chamber, its Bureau of Research, John B. Blandford, secretary, will take a leading part.

*

County Government Still the "Dark Continent."—Leyton Carter, director of the Municipal Research Bureau of Cleveland, finds that the county is still the "dark continent" in the domain of local government. This conclusion is based on a report just issued by the Cleveland Bureau upon the laws in Ohio governing county finances and their administration, with particular reference to Cayuhoga county.

County finances in this state are governed by a maze of laws and regulations. A brief digest of these laws covers over eighty typewritten pages. An analysis of these laws reveals the presence of a large number of special funds independent from one another in their operation, a striking degree of decentralization in the power to determine appropriations and an almost total lack of any modern budget procedure.

The report contains a financial history of the principal tax-supported funds of the county for a period of several years. This examination revealed a condition of persistent and substantial over-financing of the county government. In other words, the aggregate balances of the funds examined were large at all times, even in months just prior to the semi-annual tax settlements or when new tax money is available to finance the current operations of the government. The large balances have been present despite the fact that good budget procedure is lacking and despite the condition that the power to determine appropriations is not well centralized.

The report recommends amendment of existing laws to provide for:

1. A modern budget procedure for county government.
2. Centralization of power in the board of county commissioners to unify financial planning and to finally determine appropriations.
3. Elimination of many special funds through their consolidation with the general fund of the county.

*

John W. Smith, mayor of Detroit, recently appointed a committee of five bankers and business men to appraise the financial condition of Detroit and consider a ten-year program of financing permanent improvements. C. E. Rightor, chief accountant of the Detroit Bureau, is acting as secretary of the committee. Mayor Smith has also appointed a committee of engineers to study the question of sewage disposal, F. C. McMath, president of the Detroit Bureau, being a member.

Howard G. Fishack, formerly with the Detroit Bureau of Governmental Research, has become secretary of the Citizens' Association of Grosse Point, Michigan. This organization is the research agency for the township, which consists of four villages. A monthly publication, the *Grosse Pointe Civic News*, is the organ of the Association.

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The Citizens' Research Institute of Canada, H. L. Brittain, director, is now busy obtaining and tabulating material for publication in the 1925 edition of its "Red Book." This book contains in short and concise form financial information relating to many rural and all urban municipalities in Canada over 400 population. It gives such information as "Assessed Value on Which Taxes Are Levied," "Total Taxes Levied," "Floating Debt," "Debenture Debt" (divided into its different parts, such as Schools, Local Improvements, Public Utilities, Population, etc.). The price is $25.00 per copy.

This Red Book and a service on municipal bonds is supplied to bond houses, banks and large institutional investors. The work was undertaken at the suggestion of the Bond Dealers' Association of Canada.

The Red Book is a ready reference to the financial standing of any Canadian municipality, owing to the standards which are supplied for comparative purposes. As the 1925 issue will be the sixth edition, reference to its back issues shows in what financial direction any given municipality may be tending. It is thus of value to municipal administrators.

The by-products of the Red Book are also very valuable in that the Institute obtains from it reliable and up-to-date material on which many of its bulletins are based, and that the indirect moral influence on municipalities, who issue bonds through bond houses or sell bonds to investment houses, is very great. It was the latter consideration which really decided the Institute in taking up the work and which makes it a legitimate department of the Institute's work.

*

San Francisco, according to W. H. Nanry, director of the Bureau, is in great need of improved budget procedure. It seems that out of an annual expenditure of $45,000,000, only $27,000,000 is budgeted. Notwithstanding the eighteen years of education on municipal budgets, there still seem to be some weak spots in this regard among the municipalities of this country.

Like many other cities, San Francisco has two pension funds for the police and fire departments, for which no reserves have been set up to meet the city's obligations. The pension roll each year is met principally by taxation. According to an actuarial estimate by the Governmental Research Bureau, the fire pension fund, to be sound financially, should have a reserve of $14,000,000.

During the month of December, 1924, about 284 column inches, or over two pages of information on public questions, prepared and submitted by the San Francisco Bureau of Governmental Research, was carried by the local newspapers.

An interesting and useful assignment of the San Francisco Bureau was the compilation of data for a committee of the Community Chest, relative to the population and governmental costs of various cities, to determine San Francisco's proper share of national quota. This question of deciding the equitability of quotas assigned to cities by national organizations soliciting funds is troublesome and one in which bureaus may be of service to their communities.

*

Rochester, New York, has undertaken seriously the question of charter revision. It is likely that a new charter will embody the commission-manager plan of government and will be written by the Rochester Bureau. Steve Story and Weller of this organization visited a score of cities to study the merits of the various forms of government. Particular attention was given the strengths and weaknesses of the operation of the commission-manager plan.

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Frank P. Cartwright, associated for a time with the Cleveland Bureau and with the Rochester Bureau, is with the United States department of commerce. While in Cleveland, he made a study and a report upon "Proposed Standard Plans for School Building Construction in Cleveland."

*

S. G. Lindholm and Fred Shelton, formerly with the New York Bureau, are connected with the Civic Development Department of the Chamber of Commerce of the United States.

Mr. Lindholm is engaged in following up the housing question.

The Civic Development Department has been giving special attention to city-county consolidation and is planning in the future to focus its efforts upon a study of municipal expenditures.

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A Real Contribution to the valuable monograph series of the Institute of Government Research is a new book by Darrell Smith on the United States Employment Service.

E. Lewis Burnham, formerly of the staff of the Philadelphia Bureau, has been elected a trustee.

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Data Wanted.—At the Boston meeting last November, the Conference asked the Secretary to prepare a list of the reports published during the past year by all the bureaus. A request for a list of such reports was sent to all the organizations, but to date only two have responded. Will the bureaus please send such list to the Secretary?

ITEMS ON MUNICIPAL ENGINEERING

EDITED BY WILLIAM A. BASSETT

Kentucky Court Limits Highway Contracts.—A decision of considerable importance, affecting the execution of an extensive highway improvement program, was recently given by the Kentucky supreme court in the case of *Billeter and Wiley* v. *State Highway Commission*, 261 S. W. 855. The court held that the state highway commission could not let contracts for highway improvements, covering a period of years, even though the expenditures required for any one year did not exceed the appropriation for that year, that such contracts might be let each year only to the extent that there was an appropriation therefor and that the commission or in fact the legislature itself could not bind future legislatures with respect to appropriations for highway improvements by letting such contracts in advance.

Any extensive highway construction program will almost always extend over a period of years and frequently it is not possible to complete, during the construction season of any one year, an important stretch of highway. Continuity of method in proceeding with such work is as desirable as continuity of administrative control over its execution. Experience has shown the value of awarding to a single reputable contractor contracts for work that may extend over more than one year. If the principle enunciated by the Kentucky court had universal application, it would undoubtedly seriously hamper highway departments in the effective handling of their work. Also, it would almost inevitably result in increased cost of such work. Undoubtedly the decision of the Kentucky court is sound law. However, in view of its far-reaching influence on economical highway administration within that state, it would seem highly desirable either to enact remedial legislation or take such other action as may be necessary to remove the serious restrictions under which the state highway department is forced to operate.

✥

Economic Utilization of Sewage Sludge.—Daily production of about 100 tons of fertilizer material is anticipated from the operation of a large activated sludge sewage disposal plant at present under construction for the city of Milwaukee, Wisconsin. In this plant the suspended and colloidal solids from Milwaukee county's sanitary sewage and industrial wastes will be converted into a dry, brownish-black granular material valuable chiefly as a source of nitrogen in organic form for fertilizer purposes. All of the finished product will have passed an eight-mesh screen in which condition it will be suitable for mixing with other ingredients by fertilizer mixers and manufacturers. Chemically the sludge will be practically uniform in composition at all times.

According to V. H. Kadish, assistant to chief engineer, Milwaukee Sewerage Commission, it is planned, for the first time in the history of sewage disposal, to produce on a large scale a fertilizer material in such attractive form that it will find ready sale at a price at least equal to the cost of production. With large scale production looming, it was decided to attempt the development of a broad market by means of scientifically conducted experiments in the field in comparison with those commercial fertilizers commonly used. Consequently, the sewerage commission in February, 1923, established a fellowship in the college of agriculture, University of Wisconsin, as a first step in this plan.

Through the work of O. J. Noer, fellow, under the direction of Professor E. Truog of the department of soils, it was found, in 1923, when using Ottawa quartz sand cultures in greenhouse experiments, that oats and corn utilized 40 per cent of the nitrogen of activated sludge during a period of 60 days. In field trials activated sludge proved to be well adapted to use on golf courses in connection with top dressing materials for putting greens; also as a source of nitrogen in lawn fertilizers; and in mixtures for field crops having a relatively long growing season such as corn and potatoes.

✥

Additional Safety Regulations For Motor Buses in New York State.—The operation of motor buses throughout New York state, outside of New York city, will be further safeguarded as the result of an order issued by the public service commission taking effect January 1, 1925. This order provides that:

1. Each bus operated shall be so equipped that the gasoline tank shall be outside the bus body and the tank must be filled with gasoline from the outside of the bus.
2. Each bus must be provided with an emergency exit to be used in case of an accident or fire. This requirement applies only to buses having one entrance or exit, the additional exit to be so constructed that it cannot be opened accidentally.

That there is marked need for a similar regulation in New York city was demonstrated by an accident which occurred on November 5, seriously injuring twelve people. A sixteen-passenger bus filled with passengers and operated under the direction of the department of plant and structures of the city of New York, took fire.

The bus had stopped at a filling station for gasoline. As the tank was being filled either the hose nozzle slipped or the tank overflowed. The result was that gasoline on the floor became ignited and the front part of the bus burst into flame, blocking the service door. As the rear emergency door was inoperative, being bolted shut, the passengers were trapped until released by filling station employees and firemen from an engine house directly across the street. The transit commission, after an investigation of the accident, held that:

> The bus was of a very light, cheap type, altogether unsuitable for city transportation. Investigation showed it had a very narrow service door and a gasoline tank under the front cowl. To fill the tank it was necessary to put the gasoline hose through this front door and the body of the car. Such a location for a gasoline tank is manifestly a constant menace.
>
> The bus had a rear door; but it was clear that this door had been nailed shut. The bolts and lag screws in and around the door frame could still be seen. The bus should never have been permitted on the streets. It would seem that the need of two elementary precautions would have been apparent: first, no gasoline tank should have been permitted, as this one was, inside the car; second, the rear door should always be kept in shape for emergency use.

State and municipal officials throughout the country can well be guided by the action of the New York state public service commission in taking steps to prevent the occurrence of a similar disaster.

Personal Liability for Preventable Fires.—Holding individuals who are responsible for conditions causing preventable fires liable for resulting loss and damage has been in force in European cities for many years. The soundness of this doctrine is unquestioned, but it is only comparatively recent that the principle involved has been applied in this country. It is encouraging to note that the application of methods of legal persuasion to the reduction of our serious annual fire loss is beginning to find public favor. Interesting comment on this subject was made by Mr. Franklin H. Wentworth, secretary, National Fire Protection Association, before the last convention of the American Water Works Association, from which the following quotation is made:

> If in France you should have had a fire and it got outside your premises and damaged your neighbor's property, you would have to pay your neighbor's loss. This is very educative. In some of the cities of Germany, the first person who calls to offer his condolence after you have a fire is the policeman, who locks you up, and you go before a jury next day and have to prove that that there is no way in which you might have prevented that fire. If you cannot prove it, you have to bear the loss yourself and pay the city for the luxury of the unnecessary use of the fire department. That seems tremendously radical to the minds of our heedless citizens, and yet do you know that idea is gaining ground in America? Pennsylvania a few years ago passed a state law that in cities of the second class, if a man disobeys a fire prevention order, he shall be liable in a suit by the city for the cost of extinguishing the fire. In certain cities of the West they have not waited for state laws. Cincinnati, Cleveland; Portland, Oregon; Austin, Texas; Newark, N. J., and a lot of cities scattered over the United States have embodied that idea in a local ordinance. In Cleveland if you get a clean-up order or an order for a fire door, or anything of that sort from the fire department, you will find on the back of the order a copy of this ordinance, and if you do not comply you are liable to the city in a suit; and even in the charter of Greater New York there is such a provision. How it got in there, no one knows, but when this charter was drawn, someone wrote that provision into it; and there it lay all those years until Mayor Mitchell came in. Mayor Mitchell had a chief of his fire prevention bureau named Adamson, from Atlanta, Georgia. Mr. Adamson did the unheard-of thing for an American city official; he read the charter of the city he was going to serve, and he detected this provision in the charter. He watched the fires for a few weeks, and he found that a cemetery company down in lower Manhattan had a fire in a four- or five-story building full of caskets and excelsior and stuff that made a bad fire. It was expensive to extinguish and took lots of water; some of the firemen were hurt, and some were overcome by smoke and were sent to

the hospital, and it cost the city about $2,500 or $3,000 to extinguish that fire. Mr. Adamson found that about two years before the company had received an order to install automatic sprinklers in their building, and he went to the company and showed them their liability. Did they offer to pay? No, they argued the matter. They said, "Why should we pay for the expense of extinguishing this fire? We did not set the fire; it was an act of God. We pay our taxes to support the New York fire department; why should we be assessed to pay for this fire?" The commissioner said, "Here is a provision of the charter, here is a copy of the order that was given by our department to you two years ago, and here are the results of the fire. You are clearly liable." They refused to admit their liability; the commissioner brought suit, and the lower court, showing the psychology of our Americans, threw the case out. The commissioner lost his suit, in spite of that clear evidence, through sympathy. We regard the man who has a fire—no matter if his carelessness is responsible for it—we regard that man with sympathy instead of accusing him from the European point of view as a public offender. But the commissioner was bound he would win his case if possible. So he took it to the superior court, and the superior court, being made up of superior men, as they sometimes are, reversed the decision of the lower court and gave the commissioner damages. He compromised the suit for about $1,500, and the cemetery company paid it. A week or two after that a film corporation had a fire; they found that they too had had an order six months before, and their manager went down to City Hall and said, "How much is it, please!" I believe the amount was $750.

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Commendable Features in Philadelphia's System of Plumbing Regulation.—Regulating the installation of plumbing fixtures with regard to type and location, and enforcing compliance with certain minimum requirements governing the extent of such facilities required for different classes of building occupancy are among the functions exercised by city governments in connection with the larger problem of regulating private building construction and occupancy. Formerly plumbing regulation was considered merely as a health measure and ordinarily was under the jurisdiction of the local health board. During recent years, however, it has been recognized that plumbing regulation is more directly concerned with promoting suitable sanitary housing conditions than strict protection of public health. Also the enforcement of reasonable plumbing requirements has an important bearing on the cost of building construction. The latter phase of the problem has been made the subject of an exhaustive investigation by a committee appointed by Secretary Hoover of the United States department of commerce. One of the reasons for undertaking this work was the widely varying practice followed by different cities throughout the country both in respect to standards employed and administrative procedure followed. Naturally local conditions will influence to some extent the practice to be followed, but the standards employed by certain cities have demonstrated their suitability for practically universal application. The practice followed by the city of Philadelphia in respect to this matter is an example. The essential features are outlined by Mr. George H. Shaw, chief, division of housing and sanitation of that city, as follows:

Philadelphia requires the registration of master and journeyman plumbers. Applicants are examined by a board of examiners, upon payment of a five-dollar examination fee, and if a thorough knowledge of plumbing is shown, a certificate, for which no charge is made, is issued. All plumbers who have successfully passed the examination are required to register yearly for which a charge of one dollar is made. It often happens that an out-of-town plumber has work within the city limits, and in such cases, if he holds a license or certificate granted by any first-, second- or third-class city of Pennsylvania, to engage in or work at the business of plumbing or house drainage, he may be registered for the work that he has at time of registry. The procedure for all plumbing work performed in this city includes the following:

1. The filing of plan for proposed work by the owner's plumber.
2. Examination of plan by plan-examiner to see that it is in accordance with plumbing regulations.
3. Issuance of a permit—the charge is one dollar for an installation up to and including seven fixtures; twenty-five cents for each additional fixture.
4. Inspection of all stages of work during its installation.
5. Certificate of final inspection issued to owner and plumber.

Back venting is a subject on which there has been a great deal of discussion and on which much expense has been needlessly incurred. The Philadelphia requirements do not compel a multiplicity of unnecessary venting. The circuit or loop system used permits adequate venting of fixtures without the needless expense of unnecessary vent piping. This is a matter of greatest importance in the present housing situation. The regulations provide for the use of Philadelphia standard medium-weight cast iron pipe which, in the case of 4" pipe, which is the size most used, weighs nine pounds per foot. This weight of pipe has been found wholly satisfactory and effects a considerable saving over the extra heavy pipe weighing thirteen pounds per foot, which some regulations require. Both of these requirements have been found to meet adequately the requirement of good plumbing, without adding a needless percentage to the already high cost of the plumbing in a house.

A separate and individual connection to the sewer for each house and a main trap on the house drain are required. Difficult plumbing problems very frequently encountered are due to the installation many years ago of joint drainage systems. These old drains are often uncovered in excavating for new buildings, and the owners of houses connected to them are usually very loth to abandon the old drain and connect to the public sewer fronting the property, sometimes making it necessary to take drastic action to compel connection to the sewer.

Flush valves for supplying water to toilets are used only to a very limited extent in this city. The regulations, however, permit their use if the water to operate the valve is supplied from a suitable gravity tank or other suitable pressure or storage system, so that there may be no failure of the valve to operate properly due to inadequate pressure.

NOTES AND EVENTS

The Merit System in Cleveland.—Cleveland is disturbed over the operation of the civil service provisions of its new city manager charter owing to the personnel of the commission. There were two hold-overs in January, one of whom is a close friend of the former mayor and governor, Harry L. Davis, and the new member appointed by the council in January is former Mayor W. S. Fitzgerald, chairman of the Republican Executive Committee of Cuyahoga county.

The commission has recently appointed a Captain Jeffrey, as secretary, a man who was treasurer under Mayor Harry L. Davis, and one of his staunch political supporters. The Citizens' League and members of the city council have criticized the council and the commission for making political appointments.

City Manager Hopkins, however, has resisted pressure to dismiss employes and fill their places with friends of the councilmen, and has generally supported the merit system in original appointments.

The council has, at the earnest request of the Citizens' League, appropriated funds for a complete reclassification of positions in the civil service, and the commission is now arranging for this work.

Dr. A. R. Hatton, author of the charter and a member of the city council, has announced that a charter amendment will be submitted to the voters in November changing the three-membered commission to a single administrative head, who will be appointed by the city manager. He says that this would have been provided for when the charter was adopted, had it not been for the fact that they wanted to avoid the opposition which would have been made to such provision.

The voters of Cleveland, whenever the issue has been before them, have overwhelmingly voted for the merit system.

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Homes Protected Against Undertaking Establishments.—The supreme court of Kansas in the case of *Leland* vs. *Turner*, 117 Kansas 294, has held that private citizens who own and occupy homes in a residence section of a city, having interests so different in character as well as in degree from the general public in the threatening of impending intrusion of an undertaking establishment in close proximity, that they may maintain an action to enjoin such establishment as a nuisance. The following findings or conclusions of trial court were upheld: "That while an undertaking establishment of the character proposed to be operated by the defendants is not a nuisance *per se*, its maintenance at the intersection of two principal residence streets in a residence district of the city is a nuisance to owners of nearby property whose property will be reduced in value by the maintenance and conduct of such business, and whose comfort, repose and enjoyment of their homes will be materially diminished by the mental depression and distress caused by the constant going and coming of hearses, the not infrequent taking in and out of dead bodies, the frequent funerals, thoughts of the unknown dead in the morgue, the thought of autopsy, embalming and other matters commonly associated in the mind of the average person with a morgue, including a conspicuous sign, to the extent that one's power of resistance to disease is lowered by mental depression and distress, renders such persons, including the plaintiffs, more susceptible to disease and deprives the plaintiffs and their homes of the comfort, repose and enjoyment to which they are entitled, and that by reason of the foregoing the plaintiffs are entitled to a permanent injunction."

The supreme court added, in granting a perpetual injunction: "Persons subject to such constantly recurring incidents and dismal circumstances could not enjoy their homes in peace and quietude; the laughter and playing of children about their own door yards would seem heathenish and unfeeling in such a dismal environment. Social and family gatherings in residences so placed would be a caricature of happiness and enjoyment."

This finding is in conflict with that in the case of *Westcott* vs. *Middleton*, 43 N. J. Equity 478, where it was held that to constitute a nuisance the injury must be physical as distinguished from one purely imaginative, but is in conformity with *Tureman* vs. *Kettlim* (*Missouri*) 263 S. W. 202. The principle established by this case seems to be that funeral homes can be enjoined where located or proposed to be located in residence districts by action of local residents where the city would have no right of action as a collective expression of the wishes of the citizens.

HARVEY WALKER.

University of Kansas.

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Tri-State Water Treaty Signed.—The utilization of the waters of the Delaware River and its watershed for water supply purposes, and the development of hydro-electric power is made possible under the terms of a tri-state treaty between New York, New Jersey and Pennsylvania, the approval of which by the legislatures of those states is now pending. The development of inter-state water supplies presents an extremely difficult problem at best and one that no state can solve alone on account of the varying rights of property owners and other interests. Fortunately, while in general prohibiting treaties between states, the Constitution of the United States makes an exception in the case of water supply matters, and permits two or more states to enter into agreements for the development of such supply, subject only to the approval of congress.

If this treaty is approved it will enable the public of the three states concerned to participate mutually in the use of water supply developed from a watershed comprising more than 10,000 square miles of mountain, forest and stream. At the outset it will benefit a population of over 10,000,000, and solve the problem of furnishing a needed additional source of supply for New York City, Philadelphia and North Jersey metropolitan district for an indefinite period in the future.

The development of the upper reaches of the Delaware River should facilitate the carrying out of a number of hydro-electric projects that may mean substantially cheaper power for the section of the country tributary to this stream. Such work might be of value to navigation, and carried on as proposed in connection with the well-formulated program of forest conservation, should prove of material public advantage.

An important feature in the provisions of the treaty is concerned with the sanitary protection of the Delaware River and its watershed.

A necessary requirement for a treaty of this kind should be flexibility in its operation to meet the widely varying conditions and problems that almost invariably arise in connection with extensive development work.

The Delaware treaty provides for establishing a permanent tri-state commission with large powers of administration and license, and extensive possibilities of investigation. The consent of at least two of the states acting through their representatives on the commission is required before any part of the water of the river can be utilized. Provision is made that only flood waters may be diverted, that proportionate use be preserved for each of the states, and that purity of the water must be maintained. The text of the treaty conforms to recognized standards of engineering requirements. It should prove to be an extremely useful and valuable instrument and it is deserving of public support and approval.

WILLIAM A. BASSETT.

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CITY MANAGER NOTES

Minneapolis, Minnesota.—The citizens representative charter committee adopted, with the exception of one section, a proposed charter drafted by Prof. A. R. Hatton, that would give Minneapolis an entirely reorganized government under the city manager plan. Virtually bringing to a close its work of more than two years, the committee immediately made plans to reorganize as a campaign body to present the new charter for final decision by the voters in the municipal election in June, 1925. The section on which the committee failed to reach an agreement was the one concerning ward boundaries.

Chattanooga, Tennessee.—Members of the Hamilton County delegation, representing largely the city of Chattanooga, are discussing the advisability of introducing and presenting a measure in the legislature which would submit to a vote of the people at the regular election in August, 1926, the city manager plan of government.

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Camden, New Jersey.—Senator Albert F. Woodward has prepared an amendment to the city manager act which he will introduce in the legislature in an attempt to change the present law to provide that a change may be made from the commission to the city manager plan after a two-year trial of the former instead of the four-year trial as is now provided.

Knoxville, Tennessee.—Twenty-four proposed amendments to the city charter were agreed upon at a conference of the city council of Knoxville, and the legislative assembly will be asked to make the changes so that the council may better manage the affairs of the city. The changes include, among others, alterations in the civil service provisions.

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Port Arthur, Texas.—When the returns of the election for a charter revision committee, and a straw vote on the city manager plan of government, were officially canvassed, it was found that the present commission form had won over the city manager form by a majority of 357 out of a total of 2,871. The commission which was elected at that time to draft a new charter will proceed under their instructions.

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Indianapolis, Indiana.—"The ridiculous efforts of factions and politicians to control the council of this city for campaign purposes is likely to invite consideration of other forms of city government to which we may be driven," says the *Indianapolis News* editorially under date of January 7, stating that they believe that the commission-manager form of government is preferable to any others which might be adopted.

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Toledo, Ohio.—At the request of the city commission, the publicity and efficiency bureau of the city of Toledo has compiled information on the city manager plan of government, and, while not attempting to recommend officially that this plan be adopted, reports that a definite movement has taken form during the last year among the large cities in the country to remold their municipal governments after the pattern of mercantile and industrial establishments. The adoption of the plan by Cincinnati and Cleveland has evidently brought the proposition to the attention of the city fathers of Toledo.

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Yonkers, New York.—Great progress is being made by those interested in securing the city manager plan of government for this city, and the endorsement of a large number of the city's influential organization has already been secured. An extensive publicity campaign is being carried on in the city's three daily papers.

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Bridgewater, N. S.—Mr. Cecil McDougall has just been appointed town manager and town clerk of Bridgewater. This is the fourth appointment in Nova Scotia since May, 1923, when Wolfville appointed Mr. G. S. Stairs as town manager.

JOHN G. STUTZ.

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Cleveland Expenditures Under City Manager Government—First Year's Experience.—When Cleveland's expenditure for the first year under the new city manager form of government was shown to be $1,868,000 more from the general fund than it was in 1923 (and by general fund is meant all expenditures except for public utilities), many were inclined to question whether this form is, after all, as efficient and economical an instrument as its advocates claim. The enemies, of course, point to the fact that City Manager Hopkins, after spending so much more than did his predecessor Mayor Fred Kohler, closed the year with an actual surplus of only $528,000 as against Mayor Kohler's surplus of $1,523,000.

If the object of municipal administration is to spend the least possible sum of money, then the critics are right; but if the primary purpose is service, then the added expenditures under the city manager are easily explained and fully justified.

When the new city manager took hold of the administration, he found the departments seriously under-manned and the employes very poorly paid. Mayor Kohler had slashed salaries and abolished positions without much regard to its general effect on the service. He had seriously neglected the upkeep of city property; the parks were in a deplorable condition; the trees were covered with infection; the engineering staff was so reduced that supervision over new street paving, the one kind of improvements which Mr. Kohler emphasized, was entirely inadequate to insure good work; sewer construction received little attention during the two years; municipal equipment of many kinds had sadly deteriorated; and city property was generally in a run-down condition. This condition was produced not alone by Mr. Kohler's desire for economy, but also because of the inefficiency of two or three prior administrations and the serious handicap placed upon the municipalities of the state by the Smith tax law.

So the new city manager had not only the pressing and routine work to do, but he had the added task of repairing neglected property and spending large sums to prevent further and expensive deterioration. For example, he had to spend in the neighborhood of $125,000 in putting the lake front park in even a presentable shape. The new auditorium and the city hall required landscape gardening about them in order to give them a proper setting on the Mall. The trees, roads, grass, and flowers in the parks had to be renewed and replenished; bridges required painting; new roofs were necessary on city buildings; and a general spring cleaning had to be inaugurated. All of this work cost money.

Furthermore, the city manager has given special attention to clean streets this year. Mr. Kohler kept them in good shape, especially downtown, but the city manager has extended this better and more frequent service to all parts of the city.

All of this added expenditure by the city manager can easily be explained either in terms of added service, payment of old bills which were handed over from the year preceding, and money devoted to capital improvements. The entire balance of over $1,500,000 which Mr. Kohler left has gone entirely to capital improvements and not in operation.

The voters and taxpayers of Cleveland know these facts and are not disturbed over these additional expenditures which are clearly indicated in improved service of every kind.

Mayo Fesler.

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The Voting Machine Fight in New York City.—The fight is on to compel the introduction of voting machines in New York City. The first gun of the campaign was fired when Attorney-General Ottinger wrote a letter to the board of elections demanding that it obey the law calling for the mandatory use of such machines in first-class cities. The second came in the form of a report issued by the New York County Republican Committee, based on an exhaustive investigation into the merits of the machines, made by its recently organized Political Research Bureau, of which Congressman Ogden L. Mills is the chairman, and T. David Zukerman is director.

The report cites the efforts made to compel the adoption of voting machines in that city by legislation passed in 1921 and 1922, which provided for purchase and installation of the machines gradually during a three-year period, in order that the city might be completely equipped in time for the presidential election held last fall. Owing to the opposition of the local administration, authority for action passed into the hands of the secretary of state, at that time John J. Lyons, a Republican. Although the law authorized him to purchase the machines on behalf of the city, the manufacturers whose model he had chosen refused to make a contract. They did not wish to enter into the long litigation threatened by Mayor Hylan, Comptroller Craig, and the other members of the Board of Estimate, with consequent delay of payment for their product.

With the passing of control of the state senate into the hands of the Democrats in 1923, no further efforts were made to force the issue by legislative action. Neither did the then secretary of state attempt to enforce the law, which thus remained on the books a dead letter. Now, however, that both houses of the legislature are controlled by the Republicans, it is expected that the law will be amended and strengthened to give whatever additional powers may be necessary to enable Mrs. Knapp, the new secretary of state, to proceed with the installation of the machines. Attorney-General Ottinger has already indicated that the full power of his office would be used to back up her efforts.

It is pointed out that a device which has been in use in as many communities as is the voting machine for continuous periods as long as 20 or even 25 years must have definite advantages to offset the necessary outlays of considerable sums for equipment. The opinions of observers in all parts of the country are cited to show the satisfaction of both election officials and voters because of the many advantages which the machine has over paper ballots.

The voting machine, says the report, may be considered a political adding machine or cash register, supplying the mechanical accuracy, reliability and efficiency which is ordinarily secured from its commercial prototypes. It furnishes a rapid method of voting as well as of tabulating the ballots cast, at material savings in cost over the paper ballot method. To a large extent, likewise, it provides a remedy against dishonesty as well as the honest errors which are due to fatigue and the human frailties and weaknesses which have made generally advisable the substitution of machines to guard against the failure of "the human element."

It is also claimed that, with the machines, there is no such loss of votes as results from defective, spoiled and doubtful paper ballots. On the contrary, every vote counts, because the voter is guarded automatically against such errors as make paper ballots defective or doubtful. The machines, while allowing all possible legal combinations, cannot be made to register more than the legal vote for each office. No make may be used that has not previously been certified by the secretary of state as being so constructed mechanically as to be in thorough conformance with the law.

That actual experience does not show any evidence of the successful practice of fraudulent methods with voting machines is insisted in the report. On the other hand, it is stated that both the construction and the provisions of the law for inspection and certification by the bi-partisan election board make them practically proof against manipulation.

The Democratic organization is prepared to fight to the finish the effort to force the voting machine upon New York City. Whether it feels that machine voting will discourage many of the faithful from appearing at the polls has not been disclosed by any published statement.

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Fight Against Encroachments Upon Home Rule in Oregon.—During the latter part of January, representatives from twenty-five cities of Oregon came together at Portland and established the League of Oregon Cities. The immediate occasion for the meeting was an appeal from one of the small cities for assistance from her sister cities in preventing the legislature from putting through a general law designed to give to the state traffic officers control over traffic policing in the smaller cities. This situation arose from complaints of autoists that many of the towns were over-zealous in enforcing their traffic ordinances on speeding motorists. However, the larger cities, especially Portland, have for some time felt the need for such an organization to combat encroachments of the state on the powers of the cities.

Article XI of the Oregon constitution provides, by an amendment of 1906, that "the Legislative Assembly shall not enact, amend or repeal any charter or act or incorporation for any municipality, city or town. The legal voters of every city and town are hereby granted power to enact and amend their municipal charter, subject to the constitution and criminal laws of the state of Oregon."

This clause is the basis for what has commonly been presumed to amount to a grant of home rule. During recent years, however, the legislature, supported by the supreme court, has threatened to undermine the autonomy of the cities by the slightly indirect process of passing general laws, rather than specific amendatory acts, affecting the powers of municipalities.

For instance, the right of cities to levy license taxes on real estate brokers, insurance brokers and employment agencies within their limits has been abolished by general state laws held to be incompatible with the local ordinances. Further, the cities have been discriminated against in the division of the revenues from the auto license tax. The counties and the state share the proceeds between them, excluding the cities entirely. Portland, which has 596 miles of paved and macadam roadways, as against 352 miles in the county outside the city, feels this keenly.

One of the most striking limitations of the powers of the city of Portland is the Tax Supervising and Conservation Commission, established in 1921. The law was made applicable to all cities having 100,000 population or over, thus in effect singling out Portland for special legislation. The commission, appointed by the governor, has the power and duty to survey all the estimates of the city commissioners, and, in the words of the law, "the commission shall carefully consider the proposed budgets, approve, reject or reduce the same or any items therein, or, by unanimous vote of all the members of the commission, increase the same . . . upon the request in writing of the proper tax-levying board."

This discretionary power in the hands of the Tax Supervising Commission naturally is a source of friction, and, it is contended, leads to irresponsible government. In actual practice it allows the tax commission to pass upon matters of city policy, through its power of rejecting or reducing any items. In a small way this is illustrated by the refusal of the commission to grant the city's request, recently, for an added force of twenty-five policemen to combat the crime wave. There have been numerous complaints over such matters as the reduction of salaries and the refusal of particular appropriations. The city commissioners, after having recently accepted the gift of two statues, were embarrassed by the disallowance at the hands of the Tax Supervising Commission, of an appropriation for providing bases for the statues. However, the tax commission has admittedly driven the city commissioners to more careful preparation of the budget, and no flagrant abuse of discretionary power has come to light.

Considerable furore now exists, particularly in Portland, over the so-called Banks bill before the legislature, which aims to deprive the cities of their discretionary power in revoking licenses to places of business. The bill provides an appeal in all such cases to the circuit court. The city authorities feel that this will materially handicap them in regulating or abolishing illicit places of business, and will add greatly to the expense of government.

The supreme court has, in a number of decisions, held that the constitutional provision granting home rule does not prevent the legislature from passing such general laws, even though they do in fact radically modify the powers of cities in matters of predominantly local interest.

The legislative committee of the League of Cities is endeavoring to secure the adoption of an amendment to the constitution which will further fortify the autonomy of the cities. The proposed amendment stipulates carefully that municipalities shall not be controlled by "general laws" in matters relating to "local, special and municipal legislation, and municipal affairs of every character in and for their respective municipalities." If the amendment were adopted it would then remain for the courts to determine whether or not particular laws came within the forbidden sphere of "local, special and municipal legislation."

G. B. Noble.

Reed College.

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Report of Judge McAvoy on New York Transit.—On February 9, Governor Smith of New York made public the report of Supreme Court Justice John V. McAvoy, appointed by him to report on the conduct of the New York City transit commission. Early last November the New York City board of estimate and apportionment, at the instigation of Mayor Hylan, preferred charges against the transit commission to the governor, urging that the commission be removed because of failure to safeguard properly the lives and property of the people of New York. The report presented by Judge McAvoy contains twenty-one conclusions, as follows:

(1) The mayor and board of estimate are alone responsible for the delays in providing more transit facilities.

(2) The charges made against the transit commissioners by the board of estimate are without foundation.

(3) The power to alter existing contracts, without the consent of the city, should be taken from the transit commission.

(4) The Fourteenth Street-Eastern District subway should be completed with all possible speed.

(5) The Nassau Street subway should be built as soon as possible to improve the service on the Brooklyn-Manhattan Transit lines.

(6) The extension of the Queensboro subway, from the Grand Central Station to Eighth Avenue, should be completed as soon as possible.

(7) All the rapid transit shops, inspection sheds, and car storage yards should be placed in use as soon as reasonably possible, as the failure of the city to approve contracts for these structures has greatly hampered adequate service.

(8) More trains should be run during non-rush hours, and can be when shops, sheds, and yards are completed.

(9) All station platforms should be lengthened so as to permit the operation on all lines of the longest trains now in use.

(10) As a five-cent fare is compulsory on all existing rapid transit lines and on all new lines for the first three years of operation, no recommendation is made as to fares.

(11) Existing rapid transit tracks are being used to their full capacity during rush hours.

(12) The Washington Heights line and the Brooklyn Crosstown line should be constructed immediately.

(13) The existing west-side subway should be four-tracked from Ninety-Sixth Street to Dyckman Street, and provisions made to take the Bronx trains out of this subway south of Ninety-Sixth Street.

(14) A comprehensive plan for new transit lines should be adopted at once.

(15) The city's borrowing capacity should be increased by constitutional amendment so as to provide sufficient funds for new subway lines.

(16) Multiple door operation should be supplemented by more platform men and devices for announcing station names.

(17) Sanitary conditions should be improved along both subway and elevated lines, and better car lighting provided.

(18) The connection between the subway and elevated lines at 149th Street and Third Avenue should be made safer.

(19) The Ashland Place connection in Brook-

lyn should be constructed, and only steel cars should be used on the Fulton Street line and on the Center Street loop.

(20) The Staten Island tunnel should be constructed by the city for rapid transit service only, and all idea of freight service abandoned.

(21) Until the city's right to operate bus lines has been established, either by the courts or by new legislation, all existing illegal bus lines should be required to comply with the law as to franchises, certificates of convenience and necessity, and other requirements.

It is thus apparent that Judge McAvoy's report completely exonerates the transit commission from the charges made by Mayor Hylan, and places on the present city government the responsibility for all the transit delays and inadequate service. Naturally there is considerable speculation going on in New York as to the possible effect of the report on the coming mayoralty campaign.

On February 16, Governor Smith sent a special transit message to the legislature in which he completely endorsed the findings of his commissioner. While sustaining the transit commission, a body appointed by a Republican governor, against the charges of Mayor Hylan, he expresses the belief that it should be abolished since it creates an undesirable conflict of authority and responsibility with the locally appointed board of rapid transit. The board of estimate and apportionment was severly scored upon, what the governor terms, its persistent refusal to co-operate with the transit commission.

Both Governor Smith and Judge McAvoy are staunch, regular Democrats, and there is much speculation as to whether their attitude towards Mayor Hylan and the board of estimate presages a three-cornered mayoralty fight this fall.

⁂

MR. ZOERCHER COMES BACK

To the Editor, National Municipal Review.

SIR:

In your February number of the NATIONAL MUNICIPAL REVIEW you have an editorial commenting on the Indiana situation wherein you say:

> It may be doubted whether the plan increases the caution of local bodies in levying taxes. It passes the buck to the state agency when full responsibility belongs at home. It should be remembered that increases in taxes are felt at once and bring their own reward to the local officials responsible for them. There is no good reason for violating an accepted principle of home rule and if Indiana had waited she would have seen the city councils and county boards reap the popular verdict. It might have been in favor of the increases, but there is no moral evil in higher taxes if the people who pay them believe they are desirable.

Your position may be correct in theory, but it is not practical. Why should the taxpayer not have a right to be relieved from excessive tax levies the same as from excessive bond issues? If the Indiana plan would only give relief from bond issues it would only partially solve the problem. You say that relief might be by having the city council or county boards reap the popular verdict. In other words, we would have to wait from two to three to four years until there might be a change in the officers before relief could be given. If the people could always elect officers who would be faithful to every public trust and would manage public affairs like their own private affairs, a regulation of this kind would not be necessary, but it is useless for you or anyone else to say that that kind of officers is always elected.

People are advocating new forms of government—commission form of government, commission-manager form of government—all these are attempts to secure better business methods in government. Take our recent experience in Sullivan county. The local officers published a budget and set out in detail the amount of money that was to be spent in the coming year, a total of which was $152,000. Our law provides that taxpayers have a right to appear at a public hearing when this budget is reviewed and the levy is fixed. Taxpayers appeared and could not understand why there should be an increase in the county levy from thirty cents to forty-one cents on the hundred dollars. They had some doubt as to their own ability properly to analyze the matter and filed a petition asking that the same be reviewed by our board. At the hearing it was shown that when the tax levy was fixed an appropriation ordinance passed for the coming year instead of passing the ordinance and appropriating $152,000 this was increased to $159,000, and when the county attorney was asked when the taxpayer had notice of the increase he admitted that the taxpayer had no notice, and also admitted that the increase of $7,000 was not the result of a casualty or accident. On a careful analysis of the budget and the financial condition of the county, it was shown that by considering all the revenues including those other than taxes the tax levy proposed, together with the other receipts, would show a total income of $190,000. The county board also attempted to double the gravel road repair fund when it was shown that the amount that was being collected was more than the average received in the state. Does the fact that ten or more taxpayers were given a right to appeal to this board and secure a proper analysis of the tax levy, was that such a violation of home rule that anyone desirous of securing the very best form of government for the protection of the taxpayer should oppose? Why should the taxpayer be helpless to relieve himself from this burden just because the officers elected, honest-meaning officers yet not understanding the real effects of a levy that they themselves proposed, did not understand the real effects of their own acts? The reduction of taxes in Sullivan county amounted to $134,000, and yet it did not set aside a single item in the published budget. Every item therein was approved in the amounts therein set out, the only difference being that the taxpayers instead of paying $190,000 will pay $154,000. It is our contention that the collecting of more money than government economically administered warrants is wrong in principle, and any method that will prevent this should have the approval rather than the criticism of those who are favoring progress and the best form of government. I could give you other instances.

Center township in LaPorte county was proposing a sinking fund levy of twenty-four cents when at the hearing it was shown that the total indebtedness of the township was only $5,500, with a balance at that time of $6,200 in the sinking fund and the November installment still to be collected on the levy made the year previous. Was there any reason for that kind of a showing that that kind of a levy should be made? Should the taxpayers of that township be compelled to pay that kind of tax just because the township advisory board and the township trustee fixed the levy, and should the taxpayers in that township not be given relief from such outrageous and foolish action of public officials?

You come out here and sit around the table with me, and I will show you innumerable instances of this kind. You write to Harry Miesse, Secretary of the Taxpayers' Association Hume Mansur Building, this city, and get from him the report of how his organization functioned in forty-five counties in this state where they were able to hold down tax levies for no other reason than that they notified the local officers unless proper consideration was given and the levies held within reason appeals would be taken to the State Board, and the mere fact that they had a right to appeal caused the officers to be more careful and pay some attention to the objection made by the taxpayers.

When I had the hearing in Carroll county in 1923, after it was shown that the county had a balance in its general fund sufficient to run them two and one-half years, the county commissioners said to me: "You don't know how glad we are that you came up here. We did not know that our county had such a large balance on hand."

The injunction of the Master: "Lead us not into temptation," applies to public officers, and large balances on hand are a continual temptation to the officers to spend more money than they should and deal justly with their constituents. If there is any further information you desire, let me hear from you.

Very truly yours,

PHILIP ZOERCHER,

Commissioner.

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ELECTRIC LIGHT
and
POWER
as a
PUBLIC UTILITY

By
DELOS F. WILCOX

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ELECTRIC LIGHT AND POWER AS A PUBLIC UTILITY

BY DELOS F. WILCOX

EVERY public utility has its day. To all appearances this is the day of electric light and power.

At the present moment this utility has its grip on the imaginations of men, and it forms the chief battleground in the determination of public policy. Its possibilities of expansion seem unlimited. It is already transcending the limits of urban life, where public utilities have had their origin and where chiefly they have found their functions of service. It is following the telephone and radio into the rural districts, with the suggestion of a transformation of country life so far-reaching that before we know it all our national expanse of territory will be in essentials one vast modern city. The opportunity for human service is unlimited. The dangers of the abuse of power are correspondingly threatening.

THE STRUGGLE IS ON

If we may speak of the struggles of a utility to grow, to get control of natural resources, to consolidate its financial and operating organization, to eliminate active or potential competition, to acquire governmental privileges that cannot be revoked, to escape from all control other than self-control, as a campaign, then in the case of electric light and power at the present time we may say that a critical stage has been reached with major operations going on over an immense field. The seizure and fortification of strategic positions, the organization of the commissariat, the maneuvers, the stratagems, the battles, and above all the constant effort to demoralize the enemy through fraternization and propaganda—all these activities give a dramatic character to the conflict. In some aspects, it is comedy; in others it is tragedy. Like all great conflicts, it is a struggle for power, and primarily it is a struggle between private power and public power.

Several phases of major importance and major interest may be mentioned. First, there is the development of the country's water power resources, calculated to conserve the coal supply and lower the cost of producing electric power. Then there is the giant power movement, depending to some extent upon the development of water power, but chiefly a plan for the generation of electricity in large plants located in the coal fields and its transmission over long distances to the centers of population and industry for use in promoting civilization. Giant Power also has for its aim the conservation of natural resources through efficient utilization. It looks to cheaper rates and wider and more varied uses. Following naturally upon the development of hydroelectric power and Giant Power or super-power, comes the ramification of transmission lines which tie a multitude of municipalities together into a single system, and even transcend the boundaries of commonwealths making the primary distribution of power a matter of interstate commerce. Then follows naturally the building up of a vast monopoly or series of monopolies through consolidations, holding companies and superfinance. Along with these developments, comes the struggle over the rate structure. Shall electricity be treated as a public utility, the benefits of which are to be extended as widely as possible for the amelioration of the living conditions of the average man, or shall it be treated as a source of power for industrial development with the advantages accruing to the large users, thus accentuating the economic tendency toward concentration of the control of wealth in big enterprises? Finally, the supreme ultimate battle lies between private development and operation for profit, and public development and operation for service.

THE LIMITATIONS OF WATER POWER

The development of hydro-electric power from available water power sources has been going on for a number of years, and doubtless will continue to go on until the economic limit of water power development has been reached. It is apparent, however, that the relative importance of water power, as compared with coal, has been overemphasized in the public mind. Water power has the advantage that its development does not exhaust a natural resource, but except in the most favorable locations its effective development requires very heavy capital expenditures.

One of the most serious limitations upon the usefulness of water power is the fact that the flow of the streams is seasonal and irregular and, therefore, the maximum amount of power available at one season may be many times as great as the amount available at another. This means either that the uses of power must be seasonal and fluctuating, which would be entirely destructive of industry, or else that steam power plants must be maintained of sufficient capacity to supply the demand when the water power falls short.

It seems safe to predict that in the long run, with the enormous expansion of the uses of electrical power, the proportion of the steam power generated to total power used is likely at least to continue to be as great as it is now. In other words, the development of water power is supplementary and auxiliary to the development of steam power.

At certain points water power will be available in sufficient quantities to meet all local needs, but elsewhere water power, if cheaper than steam power, will nevertheless be limited in quantity and those who have control of it will seek to capitalize the difference in the cost of production so as to deprive the public of any economic benefits which would naturally flow from the presence of this natural resource in the community.

LONG DISTANCE TRANSMISSION

It is a feature of hydro-electric development that in most cases the power derived from this source has to be transmitted considerable distances to the point of use. Power is useful where population and industry are located; but thus far in most cases the great aggregations of population and industry have found their habitat without much regard to the presence of water power in the vicinity. Of course, if water power were to become a determining factor in the cheapness of manufacturing and industrial processes, then it might be that in the future the growth of population and industry would tend to concentrate in the vicinity of water power. On the other hand, with the problems of economical and efficient transmission over long distances solved, industry and population could go their natural way without being much influenced by water power locations.

Without recourse to Giant Power, so-called, intercity and interstate transmission lines are becoming useful on a large scale for the transmission to smaller communities of power generated at central stations located at the big industrial centers.

At the Investment Bankers' Association convention in September, 1924, the public service securities committee, after strongly indorsing state-wide regulation of public utilities, submitted a list of states as having been for the present eliminated from its studies largely because there seemed to be no immediate need for comprehensive changes in their laws governing utility regulation. Among the states so listed was Minnesota, where the electric light and power utility is free from any regulation whatever by a state commission, and where only cities of less than 20,000 population have been granted specifically the right to regulate electric rates. Minnesota has some developed water power and some still awaiting development. It has no coal fields. It has two large industrial centers—the Twin Cities, with 700,000 population, and Duluth, with over 100,000. It has a large number of small cities, widely distributed, a great mining district on the Iron Range, and some rather notable examples of successful municipal electric plants. Its diversified farming, including the dairy business and poultry, offers an interesting field for the development of rural electrification. Its proximity to Wisconsin, North Dakota and Canada has subjected Minnesota to the influence of certain interesting political ideas and governmental experiments.

During the past few months the writer has made a general survey of the status of the electric light and power utility in Minnesota. It cannot be claimed that Minnesota is precisely typical of the country as a whole, but an analysis of its experience with this utility opens the door to most of the problems pertaining to the electric light and power business everywhere. The Minnesota survey reveals certain very interesting facts, including the following:

(1) The wide ramifications of physically connected transmission systems, of which the most important overrun the state boundaries.

(2) The grouping of ownership and control of the electric light and power industry in a few corporations, the most important of which is the Northern States Power Company.

(3) Of ninety-nine municipal electric light and power systems for which information is available, about one half generate their own power, while the remainder purchase power from the power companies.

(4) The rates charged to the public by the municipal plants average somewhat lower than the rates charged by the private plants outside of the three big cities, if due weight be given to differences in population.

(5) With two powerful companies in active competition for electric light and power service in St. Paul over a long period of years, domestic lighting rates are now much higher than in Minneapolis where monopoly conditions have prevailed.

(6) Cities under 20,000 population have the statutory right to regulate gas and electric rates, while the larger cities have not received any specific grant of this power.

(7) At the present time, no state board or commission has authority to regulate the rates and service of electric light and power companies in Minnesota, with the result that the rate structures of corporation plants are being developed wholly from the commercial point of view, which controls the utility as a private enterprise.

(8) The experiment in rural electrification at Red Wing indicates a possible extension of electric light and power service that will make the control of this utility a matter of common interest alike to city and country populations.

(9) The development of water power

involving the use of large quantities of land and the acquisition of flowage rights, with much of this property necessarily acquired long in advance of actual development, introduces very grave and difficult problems of valuation for rate-fixing purposes.

These facts will be elaborated under their appropriate paragraph numbers:

GROWTH OF LARGE TRANSMISSION SYSTEMS

(1) In May, 1924, the Power Survey Committee of the National Electric Light Association, Great Lakes Division, published a report on Area A, which centers in Chicago and reaches northwest far enough to take in about two-thirds of the area of Minnesota. In this report appears a series of state maps showing electric service and transmission lines in Michigan, Wisconsin, Illinois, Indiana, Ohio, Kentucky, Missouri, Iowa and Minnesota. The Minnesota state tax commission also has a map of electric transmission lines for taxing purposes. To one who is not familiar with the development of widespreading power systems during the past few years, a look at these maps is apt to bring a feeling of surprise and uneasiness bordering on alarm at the prospect of new industrial, social and political problems on the horizon. Power is power, and many persons who are pretty strong individualists and have very little desire to see government going into business, yet feel some misgivings at the prospect of a private interest, using public franchises or the sovereign power of condemnation, gradually developing into an interstate octopus whose far-flung arms embrace not only the great cities, but also the little towns and even the countryside, with no organization of governmental power adapted to its control. Then, a look at the hydro-electric map of Ontario gives one a certain sense of relief in the fact that this great intercommunity power system at least is publicly owned and operated, and subject to the control of the people for whose service it has been developed.

A study of the physically connected transmission systems in the state of Minnesota reveals the fact that the transmission lines which serve the state are physically interconnected for the most part with transmission lines in other states, thus holding in store for Minnesota some of the problems that arise in connection with the regulation of interstate commerce. If natural gas piped across a state boundary is interstate commerce not subject to regulation by state authority, as the United States supreme court has held, why not electric power?

FINANCIAL AMALGAMATION

(2) The extent of the physical interconnection and amalgamation of transmission systems is not a full measure of the extent of their financial amalgamation. The Northern States Power Company controls not only the physical system above described, but also the system centering in St. Cloud, and one or two systems in the northwestern part of the state. The Northern States Power Company is a big concern. The gross earnings for the year 1923 of the properties which it controlled at the end of that year were $18,869,000, as compared with $13,580,000 as the gross revenues of the Twin City Rapid Transit system from street car transportation in Minneapolis, St. Paul, Stillwater and their suburbs. But this comparison is not so significant as the fact that the Northern States Power group of companies had increased their earnings 290 per cent over the year 1913, while the Twin City Rapid Transit Company's increase was only 53 per cent. The Northern States Power Company operates other utilities be-

sides electric light and power, but 86 per cent of its revenues are from the electric department, and about 80 per cent of its total power load is in Minnesota. It may be worth while to note that the Northern States Power Company of Minnesota, owner of the Minneapolis General Electric Company, the Northern States Power Company of Wisconsin, the St. Cloud Public Service Company, etc., is itself owned by the Northern States Power Company of Delaware, which in turn is affiliated with and in part owned by the Standard Gas and Electric Company, which controls ten other big utility companies in different parts of the United States, all of which are supervised and managed by the Byllesby Engineering and Management Corporation of Chicago. The combined earnings of the Byllesby companies for the year 1923 were over $46,000,000. This indicates the power behind the power of the Northern States.

Then comes the St. Paul Gas Light Company which, in the electrical field, confines itself to competing with the Northern States Power Company in St. Paul. Still, with its gas business, it was able to get nearly $5,000,000 in gross earnings in the year 1923. This company also has aristocratic connections. It is owned by the American Light and Traction Company of New Jersey, successor to the Emerson McMillan interests and owner of other big utilities in Detroit, Grand Rapids (Michigan), Milwaukee, San Antonio, and elsewhere, with combined earnings of around $25,000,000 a year.

Then there is the Minnesota Power and Light Company which operates in Duluth, on the Iron Range and elsewhere in the northeastern part of the state. It has a still nobler lineage. It controls the Great Northern Power Company, and is itself owned by the American Power and Light Company of Maine, which is in turn owned by the Electric Bond and Share Company of New York, which is owned by the General Electric Company. In this hierarchy, the American Power and Light Company group had combined gross earnings of nearly $32,000,000, and the larger group of affiliated companies controlled by the Electric Bond and Share Company took in about $184,000,000 in cash in 1923.

After these, it is hardly worth while to mention little domestic octopi like the Otter Tail Power Company, the Southern Minnesota Gas and Electric Company, etc. It is obvious that the people of Minnesota are for the most part dealing with persons of quality when they pay their electric light and power bills, and even the municipalities have reason to be deferential when they undertake to negotiate with these large parties. Yet, it is said by no less an authority than President Coolidge that "it will be impossible for the people to provide their own government unless they continue to own their own property," which, being politically interpreted, means that private ownership of public utilities is essential to the successful functioning of democracy!

MUNICIPAL OWNERSHIP IN MINNESOTA

(3) The exact number of municipalities in Minnesota which own electric light and power systems is not known. Definite information as to rate schedules was available for 99, having a combined population of 245,416. Of these, 49 with an aggregate population of 155,969 generate their own power, while 50 with an aggregate population of 89,447 purchase power wholesale from the power companies and distribute it themselves. The municipalities generating their own power include Hibbing, Virginia, Rochester and Austin, cities of the third class. The largest is Hibbing, with a population of 15,089. Among

the municipalities that purchase power for distribution, the largest is Brainerd, with a population of 9,501, and Fergus Falls, with 7,581.

RATES

(4) In *The Nation's Business,* organ of the Chamber of Commerce of the United States, in the issue for October, 1924, appeared an article by Floyd W. Parsons entitled, "The Specter of City Ownership Fades." Mr. Parsons is editorial director of the *Gas Age-Record.* Among other things, he says in this article that "the average rate at which electricity is sold in the United States by our municipal plants is more than twice as high as the rates charged by private companies." With utility propaganda like this sponsored by the national organization professing to represent the business men of the country as a class, it is important that the facts should be examined through glasses not tinged with the yellow hue which is so likely to distort the vision of private utility men when they are eyeing public ownership. Electric rate schedules are so complex and so various that a direct comparison between the rates in different communities is often quite difficult. The rate schedules were published for a great number of Minnesota municipalities in the booklet entitled "Minnesota Public Utility Rates," issued by the University of Minnesota, General Extension Division, in August, 1922. This information was supplemented by the actual rate schedules now in force in a number of the more important cities obtained directly from the utility companies or the municipal operating departments. In addition to the 99 municipal plants referred to in the preceding paragraph, the rates were available for 273 municipalities served by privately owned plants. These included Minneapolis, St. Paul and Duluth, cities of the first class; and Winona, St. Cloud, Mankato and Faribault, cities of the third class, having between 10,000 and 20,000 population. All others were below 10,000. From this, it is clear that with Minneapolis, St. Paul and Duluth eliminated, the 270 municipalities having private ownership may be quite fairly compared with the 99 having public ownership.

For the purpose of comparing rates it was necessary to assume some uniform amount of service. In the case of lighting rates it was necessary also to assume a standard size of house, for the reason that the rate schedule in some cities is applied to the individual house according to the number of rooms in it. In computing power the use of a 10 h. p. motor was assumed. For the purpose of this study a six-room house was assumed as typical. The net cost to the consumer after discount was then figured for each community for the first 50 kw. h. and for the first 100 kw. h. consumed in one month for lighting and general domestic uses; also the cost of the first 200 kw. h. used for power, and the first 100 kw. h. used for cooking in any one month. Separate power and cooking rates were not available in all cases. The power rates were available for 41 municipalities generating their own power, for 44 municipalities purchasing power, and for 208 municipalities served by corporation plants. The special cooking rates were available for 23, 19 and 99 municipalities in the three classes, respectively.

After the determination of the total cost for the assumed amount of service in each locality, the straight average was obtained for the private plants, for the municipal plants generating their own power and for the municipal plants purchasing their power wholesale. This method gave no effect to differences in population of the municipalities served. The results of this comparison may be summarized as follows:

Straight Average Cost of Service Per Kw. H. on Basis of Monthly Use

Group	50 Kw. H. Lighting	100 Kw. H. Lighting	200 Kw. H. Power	100 Kw. H. Cooking
Municipalities with public systems generating their own power	11.62 cents	11.32 cents	7.275 cents	4.5 cents
Municipalities with public systems purchasing power	10.64 cents	10.33 cents	6.88 cents	3.875 cents
Municipalities with corporation systems	11.12 cents	10.62 cents	6.295 cents	3.905 cents

The total number of consumers of the several classes of service, the total amount of energy consumed and the total revenue derived therefrom not being available for all the municipalities separately or in the aggregate, weighted average costs of the typical amounts of service assumed were derived by giving effect to the cost in each municipality according to the population of that particular place. In this comparison, it was necessary to set up separately the three big cities of the state, because their inclusion would of necessity give a preponderant effect on one side of the comparison to the lower rates which naturally prevail in large communities where quantity production and distribution tend to cheapen costs. The weighted average rates show as follows:

Weighted Average Cost of Service Per Kw. H. on Basis of Monthly Use

Group	50 Kw. H. Lighting	100 Kw. H. Lighting	200 Kw. H. Power	100 Kw. H. Cooking
Municipalities with public systems generating their own power	9.5 cents	9.27 cents	5.93 cents	4.08 cents
Municipalities with public systems purchasing their power	9.16 cents	8.8 cents	5.95 cents	3.495 cents
Municipalities, exclusive of three big cities, served by corporation plants	10.66 cents	10.08 cents	6.195 cents	3.98 cents
Minneapolis, St. Paul and Duluth—the three big cities served by corporation plants	7.26 cents	5.88 cents	5.035 cents	2.965 cents

The weighted average rate for cooking in the large cities does not include Duluth, as no special cooking rate is shown there from the rate schedules available for this study.

Mr. Parsons' statement that the average rate charged by municipal plants is *more than twice* as high as the rates charged by private companies, obviously is a gross libel on the municipal plants in Minnesota at any rate. But the analysis shows just what we should naturally expect, namely, that in the large cities the average rates are much lower than in small towns; and it is a matter of general knowledge that in other states as well as in Minnesota the big cities are for the most part supplied by corporation plants. From the official reports, it is apparent that municipal ownership and operation in Rochester, Virginia, Detroit, and other Minnesota towns has been notably successful.

HIGHER RATES IN SPITE OF COMPETITION

(5) In St. Paul the Northern States Power Company and the St. Paul Gas Light Company have been active competitors for many years in the electric light and power business. At the present time the rates charged by the two companies are substantially identical, but for residence uses they are much higher than the rates in Minneapolis, where the Minneapolis General Electric Company has long enjoyed a monopoly of service without the possession of a definite franchise. For example, the first 50 kw. h. used per month in a six-room residence would cost 8.56 cents per kw. h. in St. Paul and only 6.78 cents in Minneapolis; while for the first 100 kw. h. the rates would be 7.57 cents and 4.82 cents respectively. The first 100 kw. h. used for cooking would cost at the rate of 3.15 cents per kw. h. in St. Paul as against 2.85 cents in Minneapolis. The minimum power rate for a 10 h. p. motor figures out at 5 cents per kw. h. in both cities if only 200 kw. h. are used, but on the basis of sufficient quantity consumption to absorb the minimum charge, the net St. Paul rates are slightly lower than the Minneapolis rates. For example, 500 kw. h. per month used for power would cost 3.3 cents per kw. h. in Minneapolis and 3.1 cents in St. Paul.

LARGER CITIES HAVE NO POWER OF REGULATION

(6) Cities in Minnesota are divided by the constitution into four classes for purposes of general legislation: (a) those having more than 50,000 population, (b) those having 20,000 to 50,000, (c) those having 10,000 to 20,000, and (d) those having less than 10,000. Minneapolis, St. Paul and Duluth are cities of the first class. At present there are no cities of the second class, and only eight cities of the third class. All the rest of them are fourth-class cities. Cities under 20,000 have been specifically authorized by the legislature to establish and operate electric light and power plants and systems for public and commercial purposes. By an act of 1919 they were also authorized to fix gas and electric rates to be charged by public service corporations operating within their corporate limits. The terms of this act are of considerable interest. The law provides that any city of the third or fourth class shall have power, "through its city council or like governing body, by ordinance to prescribe from time to time the rates which any public service corporation supplying gas or electric current for lighting or power purposes within said city may charge for such service: provided, that nothing herein shall be construed to impair the obligation of any contract or franchise provision now existing between any such city and any such public service corporation. It shall be the right and duty of any such council or governing body to prescribe a rate which shall permit any such corporation to make a reasonable return on the capital investment in the business under an economical and efficient management."

The utility is required to open its books to the municipality for the purpose of a rate-fixing investigation. The city council in fixing rates must take into consideration the effect that its action will have upon rates charged by the utility to consumers outside the city limits, but the council may not fix the rates to be charged such outside consumers. A petition for rate-fixing may be brought before the city council either by the company or by 25 per cent of its customers within the city limits, or the council itself may initiate the proceeding. An appeal from the decision of the council may be taken to the district court.

While in theory this power of regulation vested even in the small cities has value to the public, it is easy to see that in practice the small municipality is at an infinite disadvantage in a rate case against one of the big companies whose property spreads over a wide area serving, perhaps, scores of towns, and which is affiliated with the gigantic holding and management corporations of Chicago and the eastern cities. If the company thinks it worth while to fight, the municipal treasury can easily be exhausted long before the case drags its weary length through the state and federal courts to a final decision some years later in the United States supreme court.

NO REGULATION BY STATE COMMISSION

(7) Unlike most of the other leading states, Minnesota has not conferred upon any public utilities or railroad commission jurisdiction over local or even state-wide electric light and power systems. The Railroad and Warehouse Commission has no jurisdiction over electric light and power companies, and the companies are not required to keep their accounts according to any uniform system or to make detailed financial reports to any public authority. So far as Minnesota is concerned, it may be said that these companies in effect have been left to develop their own policies, limited only by the general terms of the laws under which they have been incorporated and the bargains they have been able to drive with individual municipalities in connection with franchise grants. The state has no declared policy as to electric light and power service and no theory of electric rates. These utilities, except where owned and operated by the municipalities, have been controlled by the motives which induced their promoters and their owners to pursue this particular line of business. That the property used in the generation and distribution of electrical energy for light, heat and power purposes is property affected with a public interest has hardly been recognized in the governmental policies of the state.

The theory of electrical rates seems to be based upon a combination of the relative costs of the specialized services rendered to different classes of consumers and what the traffic will bear. It may be that everywhere the rate structure for this utility has been built up chiefly on these bases, but in Minnesota the question as to the propriety of such a foundation has not been raised by any public authority. With the enormous importance of this utility in the future to all classes of people and enterprises, it would seem that the state owes to itself at least an inquiry into the problem of power supply and the correct principles of rate-making, and to this end a uniform system of accounting should be prescribed and regular detailed public reports should be required, if nothing more. This utility illustrates especially well the inherent necessity for state and local co-operation in the regulation and control of public utilities. It should be advantageous even for the municipally owned plants to be subject to supervision with respect to their accounting systems, and every municipal plant, particularly in the smaller towns, would stand a much better chance of attaining and maintaining a high degree of efficiency in operation if it could look to an expert state body for advice and help when needed.

Regardless of one's theory with respect to municipal home rule, it is obvious that in the matter of valuation, with the law in its present chaotic condition, the great majority of the municipalities need the help of a state commission, if they are to make any headway against the immense combinations of capital, technical knowledge and practical experience which constitute the other side in a rate controversy or in a condemnation case.

RURAL ELECTRIFICATION

(8) The Northern States Power Company has been conducting an interesting experiment in rural electrification at Red Wing. The purpose is to establish by experimentation a basis for the rates to be charged for rural electric service and also to find out to what extent the use of electrical power on the farms is practicable. It is unnecessary to elaborate upon the human comfort and social and economic betterment which some people see in the spread of electric power into the highways and byways of the countryside. The Red Wing experiment is being carried on under the supervision of the Minnesota Committee on the Relation of Electricity to Agriculture, with Professor E. A. Stewart of the University of Minnesota as secretary and project director. The line is 6.3 miles long, with 19 possible and 11 actual customers. All kinds of electrical equipment suitable for farm use are being installed and an accurate record kept of the current used, the cost of the service and its value. Each consumer is required to pay a stand-by charge of $6.90 per month, and for current actually used he pays 5 cents per kw. h. for the first 30 kw. h. used per month, and 3 cents per kw. h. for all in excess of 30. This combination of charges results in very different total costs per kw. h., according to the amount of current used. In the month of July, 1924, for example, Farmer A took 46 kw. h., which cost him 19.3 cents per kw.h.; Farmer B took 144 kw.h., which cost at the rate of 8.2 cents; Farmer C, 372 kw.h., at 5 cents; while Farmer D, who used only 21 kw. h., paid at the rate of 37.9 cents, and Farmer E, who used 450 kw. h., paid at the rate of 4.7 cents.

The committee states that the farm electrification problem is primarily a problem of distribution, and is not dependent to any material extent upon the development of water power. But if the experiment should prove that electricity can be used advantageously for lighting farmhouses and barns, for pumping water, grinding feed, separating cream, sawing wood, and making the hens lay in winter, it is perfectly clear that all the farmers of the state immediately become interested in electrical service and the control of electric rates. Under those conditions country and city will have a motive for joining forces for the control of power. And yet, the development of rural electrification might result in throwing another apple of discord into state politics, on account of a divergence of interest between country and city as to proper bases for the fixing of rural as distinguished from urban rates.

RATE BASIS FOR HYDRO-ELECTRIC POWER

(9) To the extent that hydro-electric power is developed so as to become an important factor in the power supply, the difficulties of valuation for rate purposes will be greatly increased. Water power development takes control of land and water rights. In a growing and developing community, especially when a monopoly of available water power sources has been established, water lands and water rights lend themselves peculiarly to the imagination of valuation experts. With the law nearly settled that so far as land is concerned present market value is the controlling measure of fair present value for rate purposes, there is no limit to what the holders of a water power monopoly may claim as the value of their property devoted to public serv-

ice. Naturally, foresight is necessary in this business, and it will be hard to keep undeveloped water power sites out of the rate base, and thus before we are through with the matter we are likely to get a beautiful illustration of the futility of rate regulation under the valuation rules now prescribed by the United States supreme court. The advantages of water power are likely to be swallowed up in inflated valuations, with the result that the public will pay the cost of steam power even where water power is available and in use.

COMPARISON WITH WINNIPEG AND ONTARIO

With respect to the broad questions of public versus private ownership, and of what might be called democratic versus industrial rates, some further discussion is necessary. The city of Winnipeg, in the province of Manitoba, is about 450 miles northwest of the Twin Cities, and has a population of about 200,000. In 1906 Winnipeg decided upon a municipal hydro-electric system, which was put into operation in 1911. In 1923 this municipal plant generated 164,609,860 kilowatt hours, and its gross earnings were $1,741,963, or an average of a little less than 1.06 cents per kw. h. Its initial residential lighting rate for many years has been 3 cents, or approximately that, and its cooking rate one cent. In Minneapolis the net initial rate at the present time is 9½ cents, and in St. Paul 9.9 cents. What the average rate may be per kw. h. for all power generated or sold in Minneapolis or St. Paul is not a matter of public record, since the electric light and power companies are not subject to regulation in Minnesota and hence they do not have to file reports. The Northern States Power Company, like all holding companies, in its published reports, carefully consolidates the earnings, expenses and output of its several territorial divisions and subsidiary companies. The obvious comparison between Winnipeg and the Twin Cities is the residential rates.

But the greatest controversy in the electrical field ranges about the Hydro-Electric Power Commission of Ontario, as the embodiment of the theory that power resources should be developed through public agencies for common service, rather than through private agencies for profit. It is not the purpose of this article to tell how much cheaper electric utility service is in Ontario than in the United States or how much more the Ontario development has cost than was originally estimated by the engineers. But attention should be called to certain articles which have appeared recently in the *Electrical World*. In the issue of October 4, 1924, F. F. Espenschied, of the Commercial Truck Company of Philadelphia, writes a letter to the editor in which he says some very interesting things in comment upon the views of Vladimir Karapetoff, the brilliant socialist engineering professor at Cornell University. Espenschied states that he worked for the Ontario commission for more than seven years, and has a very warm regard for the officials and staff, from both a personal and a technical standpoint. But he thinks that Karapetoff is all wrong in citing the Ontario Hydro-Electric Commission's work as something that could be duplicated in this country. On this point, he says:

> In the first place, the form of government in the Dominion is radically different, permitting legislation which would be virtually impossible in this country. The people also have viewed power matters from a different angle, due to the lack of fuel in Ontario and their dependence on American fuel. There is also no doubt that many of the private companies in Ontario brought the Hydro-Electric Commission upon themselves in their refusal or inability to extend

their lines and to reduce their rates. It should also be remembered that Ontario is an immense province, practically self-contained, and does not work with any other province on hydro matters, whereas in the United States we have almost independent states with their varying laws, which would make an extensive power system, in my opinion, absolutely unworkable, even if we shut our eyes to the regrettable political situation in many of the states. Moreover, we do not have a responsible form of government as they do in Ontario, and there are so many radical political differences that one who studies this subject in an unbiased way must soon be entirely discouraged.

In its next preceding issue, the *Electrical World*, under the caption "Griffith Calls the Industry to Arms,"quotes the president of the National Electric Light Association in an impassioned address before the New England Division of the Association as saying that the "dissatisfied class," "the wilfully ignorant class" and "the incompetent and the slothful classes" produce "95 per cent of the doctrines preached by the men who are trying to disrupt *that which has been created through centuries of intelligent direction by the business men of to-day*." The italics are ours, put in to emphasize the activities of living business men who have been intelligently directing developments through several past centuries by some *ex post facto* hocus pocus expressly prohibited by the Constitution! Mr. Griffith goes on to say: "I feel sometimes when I talk about this subject that we are losing sight of the fact that the government of the United States was founded upon the right of the individual to develop. Individualism—its protection, its growth and its expansion—is the corner stone of American liberty."

But to go back to Espenschied: "This also must be said for the Hydro-Electric Power Commission of Ontario, namely, that the father of this system and still its undoubted leader is Sir Adam Beck, a man of tremendous energy, vision and fearlessness. Sir Adam took up this power matter at the critical moment and put it across in a way which reflects great credit upon him and his followers. Despite American critics, many of whom have shown poor taste in their attacks, the Hydro-Electric Commission for the people of Ontario has proved to be a blessing and a source of strength." It is a matter of wonder as to what kind of a career Sir Adam would have had under the blessings of our American government whose function is the protection, the growth and the expansion of individualism.

Now we must go back to Griffith again. It has been one of the corner stones of the theory of state regulation as opposed to local regulation or municipal ownership that it takes public utilities out of politics. Yet what does Mr. Griffith say, in the parlous state of the country which obtained on the twenty-fifth day of September, 1924? At the annual banquet of the Great Lakes Division of the National Elecitrc Light Association, in the historic town of French Lick, Indiana, speaking personally by way of caution, President Griffith made these pregnant remarks: "What I want to say, stated in another way, is that we must get ourselves and others over the idea that it is wrong for utility men to be active in politics. We urge everyone to vote—yet every time a utility official votes or particularly exercises his right and duty in politics he is criticised. This is wrong—politics is merely public business, and we are continually in a most important public business. Utility men can do their industry no harm by admitting and working openly for the ideas and principles which they believe to be sound." And so, it seems, that electric light and power is *a most important public business*, but that the corner stone of American liberty will be undermined if public business is transacted through public agencies in this land of the free and home of the brave.

HOW SHALL RATES BE JUDGED?

In the *Electrical World* for October 25, 1924, William M. Carpenter, of New York, an engineer, has an article entitled, "Truth about Electric Rates in Ontario." Mr. Carpenter says:

> While there appears to be no dispute as to the excellence of the purely technical aspects of the Canadian enterprise, there is equally no doubt as to the basic divergence of its rate structure from that which has become almost axiomatic in this country through thirty years of experience and judicial interpretation.
>
> Its policy . . . goes further than the problem of mere prices for electricity; it becomes a fundamental question of political economy: Is it a function of government to subsidize the voters which support it by furnishing them—below cost—with the commodities which it controls? Such a policy, while attempted in this country under various guises, has always been vigorously rejected, and the fundamental doctrine has been established that the price of service must be in a measure comparable to the cost of service.

It must be said that in spite of his evident bias in favor of a rate structure designed primarily to stimulate industrial development, and in spite of inaccuracies and inappropriate innuendo, Mr. Carpenter has put his finger on a great issue. Instead of asking whether it is a function of government to subsidize the voters, we might inquire whether it is a function of government to render utility service to all consumers, large or small, at the same rate per unit of service, and to develop a rate structure calculated to bring utility service to the average household on the most favorable terms possible? Is it a function of government in rendering utility service to give all the economic advantages possible to the large users, or to adopt more nearly an average cost as the basis for a more nearly uniform rate? In the post office you pay at the same rate for one stamp as for a million; and you put the same kind of a stamp on a letter going from New York to San Francisco as on one going from old New York to Brooklyn. In New York City, Cleveland, and other cities, it is the established policy of the municipality to sell water at the same rate per unit of quantity to all metered consumers, whether they use 2,000 cubic feet per quarter or 2,000,000. In the city of Minneapolis, under private ownership but at present subject to city regulation, the price of gas is uniform per 1,000 cubic feet used regardless of the amount of consumption. Even in the electric business flat rates have not been unknown, although it must be admitted that under private initiative and state-wide regulation, the electric light and power rate structure has become a complex of adjustments and concessions designed primarily to increase quantity consumption of power. This may be a better system than the Ontario system, but certainly there is no call for lumping all those who favor the Ontario system into the "disatisfied," the "wilfully ignorant," the "incompetent" and the "slothful" classes, and no call for dubbing the Ontario system as a mere subsidizing of the people who have votes.

HOW MUCH CAN THE FARMER PAY?

This has a bearing upon the whole subject of rural electrification. In organizing the Red Wing experiment, the Minnesota Committee on the Relation of Electricity to Agriculture started out with a background of disappointment and failure on the part of companies which had already dabbled to some extent in rural electrical service. And so the committee concluded to put the minimum monthly charge high enough to insure the financial success of the line, provided the farmers could afford to take electricity on those terms. For fixed charges alone—interest, maintenance, taxes, insurance, costs of office and engineering service for the generating and transmitting equipment, and line and transformer losses—a service charge of $6.90 per month was fixed for each farmer for the first 3 kw. Then his primary rate for power was fixed at 5 cents per kw. h. for the first 30 kw. h., with a 3-cent rate on all power used in excess of 30 kw. h. per month. Analysis of the fixed charges reveals the fact that interest to the utility is fixed at the net rate of 8 per cent, and the amount of the investment allotted to each farm served is $6,860, exclusive of equipment for the utilization of energy on the farm itself. Insurance, depreciation, maintenance and taxes are figured at 7½ per cent. No satisfactory explanation is given of the fact that for the first block of energy consumed the farmer has to pay two cents more per kw. h. than for additional blocks, although everything but the cost of the power itself seems to be covered by the service charge. As the committee sees it, the cost of electrical service in the country is high, and there are plenty of farmers who cannot afford to pay from $5 to $10 per month for a mere convenience or luxury that does not save them any money or make them any. The conclusion is that electricity on the farm cannot be furnished at a reasonable rate unless it is used in considerable quantities, and that the farmers cannot afford to use a lot of power just for the sake of reducing the rate. Hence the solution must lie in the finding and development of uses for electricity that actually cut down labor costs or increase product. The search for such uses is being made in and about the house and barns.

From the standpoint of the privately owned electrical utilities of this country, it may seem reasonable that no farmer should be entitled to electric service until he has paid interest at the rate of 8 per cent upon a capital investment of $6,860 besides the cost of wiring his premises and equipping them with electrical appliances, but certainly that would not be the point of view of a publicly owned and operated power system such as they have in Ontario, and if the idea of the electric light and power men is to go into politics to prevent American states and municipalities from getting into the Canadian frame of mind with respect to self-help, they'd better keep out and let individualism develop through governmental co-operation rather than through the ramifications of a private power monopoly.

The real difficulty inherent in our situation runs more strongly against effective control of a vast power monopoly, or series of monopolies, than against successful public ownership and operation. How can a municipality that is only a way-station on a through power line of a vast physically connected transmission system control rates or service? How can a commonwealth control the transmission companies if the majority of them are engaged in interstate commerce? How can a centralized body at Washington effectively control the rates and service on a myriad of local distribution systems scattered everywhere through the forty-eight states? How can any public agency effectively control rates and service of privately owned light and power plants in the present chaotic state of valuation law and rate-making? Some courts are even drifting into the position where they will not listen to testimony on the value of utility property from anybody who has not been trained as a utility man. If our system of government prevents anything, it is the effective regulation of privately owned utilities, which is put forward by opponents of public ownership as the ideal solution of the entire problem.

Meanwhile, we may rest assured that now and extending into the long reaches of the future, power is power. Who shall have it?

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THE LEAGUE'S BUSINESS

Awakening Interest in County Manager. A movement is under way in the legislatures of both Ohio and Missouri towards the adoption of measures which will make it possible for counties to accept the county manager plan. The League's office has been in correspondence with members in both states and is assisting in drafting the needful legislation.

A good many members of the League have already written for copies of our two new pamphlets, "A New Kind of County Government" by Herbert Quick and "The County Manager Plan" by Richard S. Childs. Several thousand of these pamphlets were distributed last month to county farm agents, granges, school teachers and others. We shall be glad to furnish a copy of each gratis to anyone who requests them.

✤

Distribution of Report on Comparative Tax Rates. Through the kindness of Mr. George B. Dealey, an old member and officer of the League, 300 copies of the reprints of the report on comparative tax rates compiled by C. E. Rightor and published in the REVIEW for last December were distributed to the delegates attending the convention of the National Association of Real Estate Boards at Dallas, Texas.

✤

National Municipal League Series of Monographs. Believing that the public good will be served by a series of monographs on special municipal topics, the League has undertaken such publication. The series is intended to deal in a practical and helpful manner with the technical phases of local government and administration. It is hoped thereby to present in book form material which must now be gleaned from a number of books and magazines or which, because of its specialized nature, lends itself to treatment in brief compass.

The first of the series is entitled "Municipal Budgets and Budget Making" and was written by A. E. Buck. It is intended to be of help to officials whose duty it is to make budgets and to set forth for them and for citizens and students generally the principles of sound budget procedure. An appendix containing topics for discussion and report has been added for the benefit of teachers.

The price of the book is $1.50 and orders are now being received for early delivery.

✤

Revision of Model Charter. The committee at work upon the redraft of our model charter held a two-day session in New York, March 20 and 21. A tentative draft of the sections which are to be rewritten is first prepared by Dr. A. R. Hatton and then submitted to the committee for criticism and action. A new model charter following the general principles of the present one but revised and improved in detail will be ready in the autumn.

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COMMENT

The City Manager plan was rejected by the voters of Seattle on March 10 by a majority of 4,500 in a total vote of almost 50,000. Less than 50 per cent of the registered voters participated in the election.

*

The International Town, City and Regional Planning Conference will meet in New York on April 20–25. The list of speakers includes many distinguished persons from the United States and Europe. The National Conference on City Planning will hold its annual meeting at the same time. Inquiries should be addressed to Flavel Shurtleff, 130 East 22nd St., New York.

*

Salt Lake City has joined the ranks of those municipalities which provide civic opera. According to the City Report, just come to hand, the first experiment, undertaken last year, made it possible for 16,000 persons to enjoy gratis an excellent production of "The Pirates of Penzance." The musical director of the city's recreation department had entire direction of the opera.

*

A resolution sponsored by Senator Robert E. Dowdell, proposing a single chamber legislature for South Dakota has passed the state senate by a vote of 26 to 15. If it is similarly successful in the lower house it will become effective upon a majority vote of the people at the next election. The amendment provides that the legislature will meet every three months.

The vote in the upper house was the first evidence of success of more than eighteen years' effort by Senator Dowdell in form of a single chamber legislature.

*

What is said to be the largest relief map in the world depicts the state of California. It has been placed in the San Francisco Ferry Building and affords what is equivalent to an aeroplane view of the state. It is 600 feet long and 18 feet deep. The scale is six inches to the mile. The map was constructed under the auspices of the California Development Association.

*

City managers must be versatile men, for they are asked to perform many strange services. We have heard of one manager who was called up at night on the telephone for help on a school child's problem in arithmetic; and now comes word from another of a request from a woman asking the manager to persuade her husband to bathe. Another suppliant, who wished to be divorced from her husband, asked the manager to find a rich wife for him in order that after the divorce he might be supported in the style to which he was accustomed.

Literacy Test for Voting

In the get-out-the-vote campaign last fall no attention was paid to the mental qualifications of the voters. The object was mass production of votes, and quality was not considered.

More than twenty states require some kind of educational test to vote. Sometimes it is merely proof of ability to read; again the voter must demonstrate that he can read and *understand*, and perhaps write. About half of the states which have adopted such tests are in the south, where the purpose is to exclude as many negroes as possible.

New York adopted a literacy amendment to the constitution in 1921 under the conviction that literacy is a *sine qua non* to intelligent voting. The next year the legislature turned over to the state department of education responsibility for conducting the examinations. Dr. William J. O'Shea, New York City superintendent of schools, asserts that the administration of the tests under his jurisdiction has been a pronounced success. He believes that, by turning the examinations over to the regular school authorities, the old objections to such tests, based largely upon defective administration, have been removed.

*

The Smithsonian Report on Ontario Hydro-Electric

Sir Adam Beck, head of the Ontario-Electric system, is much incensed over a report by S. S. Wyer published by the Smithsonian Institute which to all intents and purposes carries the official endorsement of the Institute. The report is intensely critical and, according to Sir Adam, contains "gross misrepresentation" and "false information designed to be injurious to the general welfare of the people of a friendly nation." Mr. Wyer has not confined himself to a simple, scientific examination of the Hydro-Electric performance, but has from time to time betrayed an emotional animus which immediately earmarks his opinions as propaganda, and to which Sir Adam makes vigorous and effective reply.

The keystone of Mr. Wyer's criticism is an alleged $19,000,000 deficit, created by failure of the consumers to pay the full cost of the manufacture and distribution of the power which they receive. More than $15,000,000 of this deficit is laid to sinking fund shortages. Sir Adam Beck's reply on this point demonstrates the superficial nature of Mr. Wyer's examination and supports the charges regarding the casual and hasty manner in which his investigations were carried on.

Accepting for the sake of argument that a public utility should amortize its investment (something no privately owned utility is expected to do), it still remains that Mr. Wyer has been deceived by the early maturity of some of the bonds. Many of the bonds are for short terms and he has figured sinking fund charges on the assumption that they are to be retired at maturity. However, these short term bonds were issued with the intention of being refunded. As a matter of fact, according to Sir Adam, "the various dates of maturity . . . have nothing to do with the period over which the commission retires its capital by means of sinking funds." This period is from 30 to 40 years. Under the law the short term bonds will be refunded; sinking funds are ample and there is no shortage.

The Wyer report speaks of "slogan-made public opinion" and "good vote-getting" and the commissioners of the Ontario Hydro-Electric may well ask why such gratuitous insults have issued from a friendly power.

KANSAS CITY ADOPTS THE MANAGER PLAN

BY WALTER MATSCHECK

Director, Kansas City Public Service Institute

Kansas City (population about 350,000) has joined up with Cleveland and Cincinnati. :: :: :: :: :: :: ::

On February 24 Kansas City adopted its new council-manager charter by a vote of 37,504 to 8,827.

The outcome of the election was even better than the advocates of the charter had hoped for. The opposition proved to be more ineffective than was expected, though it was not thought at any time that the charter would fail. The question merely was whether it would go over by a small majority or by a large one. The size of the majority was thought to depend largely on the weather. A perfect day got out a fair vote.

REVERSES EARLIER VERDICT

Kansas City has been hearing about the manager plan for about ten years. A manager charter was drafted and submitted in 1917. This, however, was a very poor example of a manager charter, due to limitations which at that time existed in the state constitution. It lost by a very few votes. Since then an almost continuous campaign of education has been carried on. The people of Kansas City have become familiar with the idea and "sold" on it, and no one doubted that this time it would go over.

The total vote, about 46,000, was a light vote, but not particularly light for a special election. It is always difficult to get out a heavy vote at a special election in Kansas City. Two things kept down the vote below what was expected at this election. First, there is the indifference which always exists on the part of many people; and, second, there was everywhere a feeling of confidence that the charter would pass, and probably thousands of people who favored the charter neglected to vote, believing it was unnecessary because the charter would carry anyway. If the charter had had more active opposition, there might have been a heavier vote.

This feeling of confidence also made it very difficult to raise sufficient funds to put on an active campaign. Less than $4,000 was spent, which necessarily meant that the campaign was largely a publicity and speaking campaign.

WHERE THE SUPPORT CAME FROM

The support for the new charter came from many sources. Opposing political elements both favored and opposed it. The dominant Democratic faction supported the charter most actively, and carried its wards by an almost unanimous vote. The Republican party, including the mayor and most city officials, supported it, though a considerable element opposed it. The Republican party happens to be in power in city affairs now for the first time in a number of years, and a considerable number of its workers saw in the charter a danger to party control and opposed it on this ground. All newspapers and nearly all civic organizations actively supported the charter.

The opposition to the charter consisted chiefly of a minority faction of the Democratic party and of some Republicans, including those holding city positions and Republican workers who feared the effect of the charter on their party. There was a little scattered opposition, but none of it was organized.

The opposition arguments were particularly ineffective. It was recognized that the ordinary arguments against the manager plan would not carry much weight with Kansas City voters, so the efforts were centered on finding flaws in the charter drafted. A considerable number were brought up, all of which were conclusively answered. An almost amusing attempt was made to inject the wet and dry issue. Under Missouri laws, the city charter must specify in detail each power the city possesses, or it will be held that it has not the power. Thus, in specifying its power to license businesses, it must specify each line of business. Among the numerous kinds of businesses mentioned in the charter which may be licensed, taxed and regulated were saloons, breweries, etc., on the theory that it was not at all certain that some day the city might not need such power if the constitutions and laws of the state of Missouri and the United States happen to be changed. This was seized upon by the opponents as a weak point for attack. Speeches were made and advertisements carried in the newspapers charging the charter framers with sinister motives and proclaiming that this was a violation of the federal constitution, an opening wedge to the repeal of the Eighteenth Amendment, and other similar statements. Of course, no intelligent citizenship would pay much attention to this type of argument and it had little effect. It serves to show, however, how hard put the opposition was for argument.

The new charter will take effect in April, 1926.

HOW COLORADO SPRINGS CARES FOR THE TREES

BY FRED P. McKOWN

City Forester

Colorado Springs keeps a forestry department busy all year. It watches over private citizens' trees as well as those on city property.

THE forestry department of the city of Colorado Springs began functioning January 1, 1911. While many citizens had seen the need of such a department for some time, it was not until the cottony maple scale had started its ravages that it became apparent to everyone.

SPRAYING IS A SIX MONTHS' JOB

The first year, spraying was begun and the work was contracted to the Western Forestry and Landscape Company, of Denver, as the city did not possess a spraying machine. The city paid for spraying the street trees and the ordinance required the property owners to have the infested trees inside their yards sprayed at their own expense. The spraying of 1911 gave only fair results, due largely to the fact that the spraying machine used did not possess the power to produce the high pressure necessary for good results.

In 1912 the city purchased a horse-drawn, 200-gallon tank, 300 pounds pressure, sprayer and began doing its own spraying and the spraying for private parties, charging them the actual cost of the work. This work gave very good results, but it was found that more spraying equipment was necessary. By this time our city had passed from the commission form of government to the manager form of government, and we had a council of nine representative business men who served without pay, their only object being the building up and improving of the city. Realizing the need, the manager authorized the purchase of another spraying machine. In 1921 the second machine was purchased. This is motor-drawn, 400-gallon tank, 1,000 pounds pressure machine mounted on a Packard truck. It has been in service constantly since the date of its purchase and has given the utmost satisfaction. After working with spraying equipment which is subject to all kinds of trouble, it is a pleasure to have a machine which will run eight hours a day without being compelled to stop and fix leaks, clogged valves, etc. This machine gave such excellent results and proved its efficiency to such a degree that another sprayer was purchased in 1923 from the same firm. With these two we are now in the midst of our spraying campaign.

Our spraying season begins November 1 and ends about May 15. The cottony maple scale being a sucking mouth part insect, a bodily irritant, and not a poison spray, is required. We use 17 per cent kerosene emulsion, giving the trees two applications during the winter season. Residents of eastern cities, which become blocked with snow and ice, and suffer the frigid blasts of winter, may marvel that we are able to conduct our spraying operations at this time of the year. But in Colorado Springs we are having warm, sunshiny days inviting every one to come out in the great open spaces and enjoy life. It is this wonderful weather which makes our spraying operations possible at the time when the scale is most susceptible to being destroyed.

In addition to the cottony maple scale which infests our soft maples, lindens, box elders, locusts and willows, we also have the European elm scale on our elms in some of our parks, but it is not widely distributed over the city like the cottony maple scale. For the European elm scale we are using Scalecide, and find it gives good results. This spraying is also done in the dormant season, preferably during March or April.

We have cluster lice, curling the leaves of the elms and ashes, but it appears only now and then in certain parts of the city. This we control with the 17 per cent kerosene emulsion spray.

During the past year we had a small outbreak of Tussock moth on our blue spruce trees, but we stopped it in two days before it had a chance to make any progress.

PLANTING AND TRIMMING

The latter part of March, we begin serving notices on property owners to plant trees in front of their properties where there are no trees. We prescribe the variety and size of trees to be planted, and the distance between trees. In this way we get uniformity of variety, size and distance.

About May 15 we begin trimming the street trees. We endeavor to keep them trimmed up above the sidewalk and street so that pedestrians and vehicles may have free passage; also we aim to keep all dead limbs removed and the trees uniformly trimmed. This work adds much to the beautification of our city, and, coupled with the removal of any dead or inferior trees, keeps us busy until October. Also during the summer season it is necessary for us to water the young trees along the streets, as our natural rainfall is not sufficient for newly planted trees, nor for any trees until they have been established and growing for several years.

In addition to the above general routine of work, the department supervises all work done on street trees by property owners or others. Before planting, trimming, spraying, or removing a street tree, it is necessary to get a written permit from the forester's office. This permit explains in detail how the work shall be done. In trimming it is required that all cuts be made closely so as not to leave stubs, thus enabling the tree to heal its wounds. Permission to "top" trees is not given, and we have put a stop to the practice of beheading trees. When a tree is to be removed the permit requires that the main stump be taken out below the ground line. This supervision enables the forester to keep in touch with all the work being done in the city and makes it hard for the traveling tree doctor to do any work unless he is qualified. This feature, alone, saves our citizens hundreds of dollars, for previous to the establishment of the department, every year witnessed the coming of one or more tree doctors who were much more adept in extricating the dollar from one's pocketbook than in caring for trees. And frequently they collect in advance for their work and then forget to do the work.

We believe our efforts have shown results, for we have had requests from a number of other cities for information regarding our ordinances and methods of procedure.

LOS ANGELES RETURNS TO THE WARD SYSTEM

BY C. A. DYKSTRA

Secretary, Los Angeles City Club

Los Angeles has returned to the system of representation by wards in the city council although old-time experience under it was not happy.

By a recent court decision Los Angeles once more enters the ranks of the ward-governed cities. Since Boston has recently done likewise, an inquiry into what happened in Los Angeles should be of value in answering the question as to whether election-at-large is a correct principle in American cities. Boston led the way fifteen years ago in adopting the at-large election and Los Angeles soon followed in its wake. Now both return to the ward plan. Why?

It may be asserted that so far as Los Angeles is concerned, the board of freeholders which drafted the new charter had no intention of recommending a ward-elected council. In fact it definitely provided for a continuation of the smaller council, elected at large. But in order to satisfy a well-organized group who had for some time been advocating the ward plan and thus eliminate some possible opposition to the newly drawn instrument, an alternative section was added to the charter.

This section provided for a council of fifteen chosen by districts; the "freeholders section" declared for a council of eleven, chosen at large.

ARGUMENTS IN FAVOR OF WARD REPRESENTATION

When the charter was submitted to the voters the ward advocates made a real campaign to get votes for the alternative section. Many were advised to vote only for the alternative proposal and to neglect to vote on the charter itself. It was quite generally assumed that the charter would win by a large vote since there was no opposition to it, and by the same token the "at large" contingent believed that the friends of the ward method would be substantially in the minority. Thus the ward proponents found the electorate quite generally asleep except on the question of the charter itself.

The familiar arguments were used. Outlying districts such as the harbor and the San Fernando Valley were neglected under the at-large plan. Few voters so much as knew by sight any member of the council. The council was arbitrary and would not listen to the humble citizen who wanted to be heard at "the Hall." Many good men had no chance for election because they could not spend the time or the money to canvas the city. Local matters of importance were neglected. The newspapers made councilmen and kept the favored ones before the public by publicity stunts. Thus we had newspaper government. These arguments and many changes rung on them repeated in local improvement organization meetings and passed around by word of mouth were effective.

When the votes were counted it was discovered that more than half of the number of those who had voted on the charter had voted for the section carrying the ward proposal. Consternation resulted in political circles and among the freeholders. The city attorney suggested that the ward plan had won. The council voted that the charter be sent the legislature for approval, *minus the ward section*, and by its own vote declared the election-at-large section a part of the adopted charter. Thereupon the organized proponents of the ward plan brought suit to test the charter in the courts with the result mentioned above—a supreme court decision favoring the ward plan.

The city council is now at work upon the task of dividing the city into wards for the coming spring election. It is of interest to note that the charter carries with it no requirement that councilmen shall reside in the ward which they represent.

HOW DID IT HAPPEN?

The old-time experience of Los Angeles with the ward plan was not happy. Citizens were glad to be rid of it. Nevertheless, ever since it was abolished there has been persistent agitation to bring it back. Amendments looking to its return under the name of "district representation" were from time to time submitted. In 1918 the vote *for* was 24,689; *against* 36,193. In 1922 the vote was 31,737 *for* to 58,182 *against*. In this same year an amendment providing for proportional district representation and the abolition of the primary received 32,263 votes *for* and 59,725 *against*. The vote of 1924 was 88,275 *for* the ward plan and 53,441 *against*. The total vote for the new charter at the same election was 126,058, with 19,287 voting *no*.

Most active in these campaigns for the ward plan have been the harbor and valley districts, some local improvement clubs and union labor. Most potent during this time have been the oft-repeated assertions that two changes in our political situation have removed the old-time dangers of the ward plan—the abolition of the saloon and woman's suffrage. There has been no proof brought from other ward-governed cities that these two reforms have drawn the fangs of the old plan. But it did make good talking point and many *good* citizens accepted the assertions.

Just what has been responsible for the re-adoption of the ward plan in Los Angeles? Perhaps no one knows. The writer sets down the reasons in the order of their importance, recognizing that it is after all only his opinion:

(1) A general feeling among advocates of election-at-large that the ward plan could not carry. Unquestionably the light vote was due to the fact that there was no opposition to the charter. It would have been possible, no doubt, to have rallied a much larger pro-charter vote. It is quite possible that the ward adherents brought out their full strength.

(2) A real feeling of grievance in some quarters that local complaints were not heard and a belief that ward representation would correct the difficulty.

(3) Some rather hazy opinion that the city is too large for a council chosen on a general ticket.

(4) A vague discontent with the present personnel of the council resulting in some desire for a change of system.

(5) A real confusion in the minds of voters as to how to vote on the charter question. This confusion of mind was shown later also for the district court of appeals ruled against the ward section and the supreme court reversed the decision.

(6) The hangover elements of the "old guard" who never have accepted the election-at-large program.

WHAT WILL HAPPEN

Various predictions as to what will happen to the city are now being made. Many predict a return of the log-rolling, special interest council of the old days. Others declare it is the end of a council run by newspapers. Many of the present council will no doubt seek to represent some ward under the new arrangement and some of them will return. They will have a tradition of serving the whole city to maintain. This will be wholesome even in the new council. Union labor hopes to elect a member or two and the harbor and the valley will be heard from. The rest is guess work. We await the event with interest.

A NEW DAY IN CIVIC CO-OPERATION

BY WILLIAM P. LOVETT

Secretary, Detroit Citizens' League

Do reformers still refuse to pull together? Has the day of the prima donna complex passed? :: :: :: :: :: :: ::

William Bennett Munro's recent book, *Personality in Politics*, turns the light of satire on the individualism of the early municipal "reformers." They simply could not co-operate: each man or group had the one and only civic panacea.

But a new era dawned some time ago; it has been well advauced to a zenith of practical achievement. Many states and cities show what has been done when a variety of civic groups either work together on a project of common interest, or at least agree not to overlap, duplicate, and wrangle over the assignment of full credit for things accomplished.

TO POOL EFFORT AND CREDIT

"Civic alliance" is one fairly good name for this sort of municipal co-operation. It is admitted that the name conveys more of prophecy than of history. But readers of the Review in more than one locality can cite actual achievements in this type of effort, here or there, based on something more than a mere paper program or an organization whose chief function was to monopolize favorable publicity.

Detroit modestly notes, for the first time, that, like Topsy, its new civic alliance "jest growed." It hasn't even been formally named. Though it has only passed its first birthday, it is surprised at itself when it scans the list of achievements procured exclusively for the good of the city, quite without realization, on the part of the achievers, that anything in particular was going on.

The idea was conceived when a half-dozen kindred spirits, directors, secretaries, etc., in the sense of being employees, who also happened to be personal pals, sympathetic with one another's troubles, got together, burned incense to Lady Nicotine, and thought out loud, for the "steenth" time, on the subject of things to be done but nobody doing them. Mark Twain's remark on the weather: "Everybody is talking about it, nobody is doing anything about it," was put alongside the last words of Cecil Rhodes: "So much to do, so little done; good-bye."

We need less talk, more action, in municipal programs. Detroit possibly, in its recent decade of physical expansion, has erred on the side of too brief discussion before action. However, things are being done, and we are too busy to worry over mistakes made in the past. "He who doesn't make mistakes doesn't make anything," said Roosevelt. Our group faced the tasks, agreed they didn't care a flip who undertook them, so long as they were done, and covertly arranged another session, several sessions, with a wider range of representation.

Taxation, expenditures, the city budget—these were the first and principal objectives. Four months of every year Detroit city officials spend in making the budget. It was agreed that citizens, representing heavy taxpayers, ought to be consulted, ought to show interest, even give advice. Result: sessions with the mayor and council, beginning with suspicion and misunderstanding, but growing into full, mutual confidence, when the "politicians" were convinced that the spirit of the civic group was helpful, constructive, and not that of interference and criticism.

"Governmental Committee of the Board of Commerce" is the term in use, because we meet at the board building, whose secretaries care for details as to meetings, subjects, reports, etc., and the board was willing to sponsor the project. It was not hard to live down the usual local prejudice against any chamber of commerce, because it leaked out early that the "committee" consisted of delegates from 23 organizations, covering about everything of consequence in the business, industrial, and civic areas. It happened that secretaries of the Board of Commerce, Research Bureau, Citizens' League, Manufacturers' Association, and Automobile Club were chief instigators of the program, in which the rest gladly joined.

HOW THE WORK WAS DIVIDED

Beginning with the city budget, the work of city departments was assigned, for investigation, to sub-committees, each of which did a piece of real work—from which the first outstanding result was that of informing the committee what the department was trying to do. Yet several jobs were covered completely, and recommendations were submitted to the city authorities which substantially affected the budget itself. For the easy slogan of "lower taxes," always anticipated when business men talk to the city hall, the committee substituted certain principles: "Units of service to the public come first—are they necessary, can we afford them?" "No salary or wage increases this year, or until we get positions classified and salaries standardized." "First get all the facts, then draw conclusions as to how much money should be spent."

Full co-operation prevailed during the four months' period of making the budget. All sub-committees then settled down to a continuous consideration, in each city department, of the procedure and problems during the year, so as to be better equipped with information when the work began again January 1, 1925. Many new, pressing problems were discovered, requiring long study. The city hall hub radiated spokes of interesting civic investigation, going into all sorts of municipal questions, areas, and strata of the city's life. Sometimes city officials, heads of departments, have asked for advice or aid, sometimes the committee has worked independently, even secretly. Reporters were excluded. Every official has been assured that the research bureau method would be followed: no conclusions, no action, no publicity, without consulting the department head and giving opportunity to correct what is out of plumb without friction.

Our work program of the year 1924 included the city budget, classification of city employees and standardization of salaries, establishment of a new bureau in the municipal court to handle the flood of petty cases involved in traffic violations, and establishment of a budget bureau in the city controller's office. A full dozen of less significant subjects have been well advanced as to study of the problems, even though time has not elapsed sufficient to apply a solution. The first four topics mentioned above may be counted real achievements—NOT of the Governmental Committee alone, in any case, but of the men working in it, and in the city hall. It is impossible to allocate all the "credit"; best of all, nobody is interested in that phase of the enterprise. In some cases the work has consisted of mere suggestion, in a confidential way, to some other group or to a city official who carried out the idea independently. Only "When the roll is called up yonder" will it be known just who should get the credit, if anybody cares to know.

Respectfully submitted, Mr. Editor, is this all-too-brief summary of a civic program 100 per cent practical, without conscious publicity, promoted quietly and effectively in full co-operation with city officials, winning for the first time a real citizen interest in the city budget, and promising much larger and better fruitage in future. The leaders have not sought to dominate any situation, or to unduly enlarge the membership of the central committee by taking in groups whose interest might be only indirect. It has voted to stay with the Board of Commerce, with the sanction of the directors of the Board. It decided not to incorporate. But it will not forget that action, not oratory, is the sine-qua-non of civic achievement by citizen groups.

CHIEF ELEMENTS OF CONTROVERSY IN PUBLIC UTILITY RATE MAKING

I. DEPRECIATION AS COST OF SERVICE

BY JOHN BAUER
Public Utility Consultant

In a number of articles in the Review I made a survey of the practice and besetting difficulties of rate making and outlined a course which would convert rate making practically into an automatic process and would render the other purposes of regulation more effective.[1]

Recent developments have brought to the forefront two chief elements of controversy in rate making: depreciation, and actual cost *vs.* reproduction cost in the determination of "fair value" or the rate base. The first affects not only the valuation of the properties, but also the direct cost of service on which rates are based, and raises the question of safeguarding properly the investment in the properties. The second centers around the problem of treating the investors equitably in the face of the great increases in prices since the beginning of the war.

Because these elements are the foundation of the numerous rate cases, I shall attempt to present them in a comprehensive way, devoting a short article to each important phase of the subject. In the present article, I shall treat depreciation as a part of the cost of service. Later I shall discuss depreciation as a factor in valuation, and shall outline the practice of large industrial corporations. A final article will be devoted to valuation on the basis of actual or reproduction cost of the properties in the face of the changing price level.

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[1] A comprehensive study covering the entire subject of regulation has been prepared and will shortly be published by the Macmillan Company under the title "Effective Regulation of Public Utilities."

COST OF SERVICE AS THE MEASURE OF REASONABLE RATES

At the outset, let us state that for the most part *the cost of service* is the proper and the generally recognized measure of reasonable rates. This corresponds to common sense requirements of dealing fairly with the consumers and the companies. While it has not been definitely set forth by the public utility statutes as the direct basis of rates, it follows the sensible course of fair treatment, it has been followed as a practical matter by the commissions in actual rate making, and has been tacitly approved by the courts.

The total cost of service includes three elements: (1) operating expenses, (2) taxes, and (3) return on investment. As to the first two categories, we may say outright that cost has been practically recognized by the commissions and courts as the basis of rates. There may be questions as to whether the costs are reasonable or whether the charges to the accounts have been properly made, but otherwise the actual costs to the companies furnish the foundation for rates. As to the third item, however, return on investment, cost has not been explicitly recognized, and here we have the chief debating ground in public utility litigation and discussion. This centers around valuation and return, and involves both the deduction for depreciation and the question whether inventories should be priced in the first instance according to actual cost or reproduction cost.

DEPRECIATION AS OPERATING EXPENSE

In this article we shall be concerned with the inclusion of proper charges to operating expenses for depreciation or the renewal of plant and equipment. Operating expenses as such include the actual cost of all labor and materials used in furnishing service for a given period. They include also the cost of repairs and the full maintenance of the properties employed in the service. As a part of such full maintenance there must be adequate provision for renewing all worn-out or obsolete units of plant and equipment no longer suitable for operation.

Our problem concerns the last mentioned item: the inclusion in operating expenses for the renewal of plant and equipment. Assuming that it is the actual cost of making adequate renewals that should be included in operating expenses as a basis of rates, the question is just how should the actual cost be determined? Should it be an *estimated depreciation* charge, or the so-called actual cost of replacing units of property as they become unsuitable for operation? Shall we follow the depreciation or the renewal method?

The question is one of fundamental cost accounting and is here answered accordingly. We believe that the depreciation system furnishes the correct basis of cost determination. It regards the original capital cost of a unit of property as merely a deferred operating charge to be included in the cost of service as the economic life of the property is consumed in operation. The original capital cost is gradually transferred or allocated to operating expenses and is included in the cost of service to be reimbursed to the company through the rates paid by the consumers. The latter thus pay not only for all labor and materials entering into the service, but also a proportionate part of the plant and equipment costs properly allocated to the particular period of operation.

The amount charged to operating expenses each year for depreciation may be variously computed, but in general may be best determined according to the so-called straight line method. The original cost is charged to operating expenses on the basis of equal annual installments during the expected life of the unit of property. Roughly this corresponds to the relative annual use obtained, and distributes the cost equally over the total service furnished by the unit during its entire life. Through this procedure, the company is gradually reimbursed as the service is paid for, and during the life of the property collects enough from the consumers to renew the unit when it is no longer fit for operation.

The charge for depreciation is based upon life estimates which include all causes of property retirements and renewals. The expected economic life is the number of years that a unit may be profitably used for operation, after which it is more efficiently superseded by a new one. The cause of the abandonment may be ordinary wear, inadequacy, obsolescence, shift in demand for service, or other unsuitability for operation.

ILLUSTRATION OF A SINGLE UNIT

The force of the depreciation charge may be best illustrated by an important item of equipment: a 30,000 k. w. turbo-generator installed by an electric company at a cost of $360,000 with an expected life of twenty years. Assuming that the estimated life is correct and that the equipment is used equally during the entire period, the annual depreciation charges would be the original cost of $360,000 divided by twenty, or $18,000 a year. If this amount is included in the cost of service each year and is paid by the consumers, the company will be reimbursed for the full original cost when the unit is retired after twenty years. In this way, the investment is systematically maintained and the company is able to make the replacement when needed. Each year's service bears its full pro-rata share of the renewal cost. The full original $360,000 is gradually apportioned to operating expenses and included in the cost of the service.

The accounting procedure is somewhat technical, but nevertheless simple and clear. At the time of purchase, the $360,000 is charged to the property or capital account. Then each year $18,000 is charged to operating expenses and credited to the depreciation reserve. The charge to operating expenses increases the indicated cost of operation and reduces the showing of net return by $18,000, so that this amount of the revenues is automatically locked up in the business and serves as the direct or immediate renewal of the part of the equipment consumed in the year's operation. In the same way each succeeding year $18,000 is included in operating expenses and added to the depreciation reserve, with the retention of a corresponding sum in the business to make good the year's depreciation. At the end of twenty years the full $360,000 has been included in the operating expenses, the reserve is then equal to the original cost and the company has accumulated $360,000 in cash for a new unit. The old is then retired and the cost cancelled against the reserve, while the cost of the new is again charged to the capital account for another cycle of depreciation accounting.

THE SAME PRINCIPLE FOR MANY UNITS

The opponents to the depreciation system readily agree that for a single large unit of equipment, the depreciation system is correct and the renewal method inapplicable. If there were only the one piece of equipment, the entire cost of renewal at the end of twenty years could not be charged at once to operating expenses and then paid by the consumers.

They stress the point, however, that

a public utility property is not a single unit, but consists of many varied units, which will not need to be replaced at the same time but will equalize themselves from year to year and will cause approximately equal annual charges for actual renewals. From this view of the facts, they conclude that the property as a whole is a *continous thing* and is adequately and properly maintained if the renewals are made as required in the course of operation and if the actual cost of the renewals as incurred is charged to operating expenses.

Our reply is that if the depreciation system furnishes the correct method of cost allocation for a single large unit, it cannot be wrong if likewise applied to hundreds or thousands of individual units of different kinds of plant and equipment. It applies to ten generators as well as to one; to stokers and boilers; to transformers and rotary converters; to all kinds of power plant and substation equipment; to all parts of the transmission and distribution systems. If systematically followed, it comprehends every unit of property and apportions the original installation cost to operating expenses during its life, with full provision for renewal at the time of retirement.

If this principle is properly carried out, is not the cost of service correctly computed, and is not the renewal of the property systematically safeguarded? Where does the principle go wrong in passing from the consideration of a single unit to the multitudinous units of a large and varied property?

The renewal method is obviously wrong when applied to any single unit of plant and equipment. It is equally wrong when applied to numerous units of various classes of plant and equipment. For every item in the multitude it defers the full charge to the time of renewal instead of apportioning the original cost equally over the lifetime and distributing it over the entire service. It disregards the fundamental fact that every unit is consumed in operation and that its original cost, therefore, is spread equally over the entire period of operation.

THE PROPERTY AS A WHOLE

The proponents of the renewal idea rather etheralize the conception of "the property" as a whole. They look at it as an entity of itself, over and above the constituent parts, just as man is more than arm, legs, body, head, etc. But even following such an exalted view, we must realize that even "man" must be renewed as he lives, taking food, water, air, etc., regularly or almost constantly, with no regard to the specific loss of a leg or arm, or even the breakdown of tissues or cells. The constant intake of body-making materials is exactly equivalent to full maintenance including depreciation charges, and if it is not sufficient to make up the full depreciation there is bodily deterioration even if the "man" as such continues to exist.

But such a transcendental concept applied to utility properties is hardly justified. We are dealing with plain material things, definite costs, and concrete operations. The property as a whole is only a group of constituent units and the costs are determined accordingly. Each additional unit requires and adds its own capital outlay, and except in case of land each depreciates individually in the course of operation, and it is this fact that is provided for systematically through the depreciation charges. As depreciation takes place it constitutes immediately and directly a cost of operation and forms a part of the cost of service. If there are a thousand units, the force works separately on each unit, and every one contributes its individual part to the current depreciation chargeable to operation.

DELAYED RENEWALS

The renewal theory is wrong as applied to each unit of property and does not become right when applied to all the units collectively even if regarded in transcendental terms.

Here is its fundamental defect: the cost is not counted as actually incurred, but is delayed to the time when the units have completely disappeared through operation. Looking at the property, therefore, at any given point of time, we see that the past cost of operation has been understated to the extent of the expired service life of the various component parts. As to some items, 90 per cent of the original cost should have been included in past operation; as to others 80 per cent; others 50 per cent; some only 5 per cent. On the average the understatement may be equal to 30 per cent or 40 per cent of the total original cost of the properties.

The amount of the aggregate understatement is equal to the depreciation reserve shown under a systematic depreciation policy. This is the measure of the amount of the delayed operating charges under the renewal policy, and shows the degree of impairment of the investment. Costs actually incurred have not been included in the stated cost of service and have not been made good through charges to operating expenses.

DEPRECIATION RESERVE

The depreciation reserve, if properly maintained, simply shows at any point of time the extent that the capital costs of existing property then in service have been included in the past cost of service. It is a statistical measure, and nothing more; it has nothing to do with actual cash or other funds which were locked within the business through the depreciation charges. It is these funds as they were retained through the depreciation charges, which constituted the real capital renewals.

The relation of property or capital costs to the depreciation charges and reserve is very simple. With the exception of land, practically every unit of property installed sooner or later becomes unsuitable for operation. At the time of purchase the full cost is charged to the property or capital account, and then in the course of operation is allocated to the cost of service, and at any time the extent of such allocation is shown in the depreciation reserve. Taking the entire property in use at any one time, we have the full original cost shown by the property accounts, and the amount allocated to past operation shown by the depreciation reserve. The difference between the full original cost and the reserve constitutes the net remaining investment in the properties applicable to future cost of operation.

We have here the technical machinery for scientific cost determination: to keep adequate cost records for the properties, to show correctly the cost of service, and to maintain the relation of all such past costs to the total original cost of the property still in operation.

As a matter of scientific cost accounting, the depreciation system is clearly correct and the renewal policy wrong. The only justification that may be advanced for the latter might be operating expediency. But, we do not see any practical difficulty in pursuing the depreciation policy. To be sure, estimates must be made, but they require merely intimate acquaintance with the properties and they may be revised with experience.

There is no valid financial, operating or other technical reason why the depreciation system should not be employed by all public service corporations. It furnishes the only sound basis for computing cost for the purpose of rate making. There can be no equitable objections either on the part of the companies or the consumers, provided that it is properly safeguarded by the rate-making principles and machinery.

GOVERNOR PINCHOT AND THE MERIT SYSTEM

BY H. W. DODDS

In appraising the Pinchot employment system, it is necessary to remember that it is solely the creature of the executive, reared in the face of active and profane opposition from those in control of the machinery of his party, without express authority in law and with no crystallized popular sentiment at his back. :: :: :: ::

To the old school politician, the merit system is still anathema. It gums the works and is grudgingly accepted only when public opinion, following some particularly noisome debauch of spoils, arises in the full power of its might. Even then the case is not hopeless, for it is yet possible to construct a civil service commission which can be manipulated; or by denying proper financial support to an honorable commission, to restrict its effectiveness in accordance with a studied policy of undernourishment.

Most everyone will admit that those in control of the dominant political party in Pennsylvania are old school politicians. Civil service reform in state government has never become a popular issue. The Pennsylvania legislature has always shared in administrative patronage, and they have never seen any good reason why they should kill a goose which lays such golden eggs.

NO CIVIL SERVICE LAW

What has been accomplished in effective personnel management under the administration of Governor Pinchot has been done with little or no specific legislative authority. The majority of the legislature were "organization" men, who opposed Mr. Pinchot's nomination in the primary, who will breathe easier when he retires from office, and who had no intention of authorizing any civil service scheme which would hinder a joyous return to the raw spoils system when the year 1927 rolls around. Therefore, the governor, although he would have preferred a thoroughgoing system, incorporated in law along the lines of the Maryland plan, did not ask the legislature to establish a civil service commission or to put the state employees on the merit basis. All he asked was that the legislature pass an administrative code placing directly under his control all state agencies which could constitutionally be brought there and authorizing the classification of positions and the standardization of salaries.

The reclassification work was placed under a newly created executive board, but this board was given no appropriation nor were any funds granted for civil service routine. Had the governor asked for more, had he waved the terrible spectre of the merit system before the hostile, bewildered and exceedingly nervous machine, even a small measure of legal authority would doubtless have been denied. The legislature may therefore be pardoned if they feel that something has been sprung on them. Nevertheless, we may spare our tears, for it is a game which they understand through years of practising it on each other.

In appraising the Pinchot civil service system, it is therefore necessary to remember that it is in effect the creature of the executive, reared in the face of active and profane opposition by those in control of his own party machine and without any crystallized public sentiment at his back.

The Pinchot system departs from the conventional set-up which many deem necessary if the spoils system is to be banished and merit is to become the basis of public service. There is no independent civil service commission acting as a check upon the governor and the executive departments. A personnel division, however, has been established under Dr. Clyde L. King, the secretary of the commonwealth, an appointee of the governor, who is also the budget officer. The personnel director immediately in charge under him is known legally as the director of accounts and is a deputy-secretary of the commonwealth. The personnel policy is therefore what the governor wants it to be, and he accepts cheerfully and eagerly full responsibility for it. Mr. Pinchot is an intelligent advocate of centralized executive responsibility; he believes that personnel management is as clearly an executive responsibility as purchasing supplies. If it is assigned to a separate compartment, if it is not part and parcel of the administration, control becomes diffused and efficient operation of state activities cannot be secured because the department heads cannot be made to accept individual responsibility and act on it.

THE PERSONNEL DIVISION ONE OF A SERIES OF REFORMS

To Governor Pinchot employment management is a service which the departmental heads need if they are to succeed and if the administration as a whole is to operate as a smooth, well-balanced machine. In this respect it is similar to centralized purchasing or the budget system. But it must not be set up in such a manner as to furnish departmental heads excuses for poor results. The governor has surrounded himself with some excellent administrators, to whom broad powers have been delegated but from whom complete responsibility for results is demanded. It is important to understand the degree to which the governor enforces this personal responsibility if one is to understand the lines along which his employment policies proceed.

His employment management scheme is but one of a series of innovations, all of which were designed to the same end. These reforms were embodied in the Administrative Code which consolidated more than 100 boards, bureaus and commissions into an orderly arrangement of fifteen departments under the governor, three independent boards and commissions, and three elective constitutional officials which the code could not change. In comparison with many states, Pennsylvania has a short ballot with a large measure of legal power vested in the governor. But there had grown up a system under which the governor had surrendered a great deal of this power, and in various departments the heads and bureau chiefs were reporting, not to the governor, and sometimes not even to their department heads, but to some outside politician to whom political fealty was due. In fact, sometimes the subordinate elective officers (auditor-general, treasurer, and secretary of internal affairs) controlled patronage outside their own departments and within the departments under the legal charge of the governor. The Administrative Code was necessary to simplify the administrative organization, but it was also necessary to get back into the possession of the governor the power which the law grants him. Needless to say, the latter was not accomplished by the mere passage of a new law.

HOW THE PERSONNEL ORGANIZATION FITS IN

In the code, related functions were grouped under single departments and the administrative board was given power to approve reorganizations within the departments themselves. The principle followed in reorganizing the departments was the placing of full responsibility clearly on each head. A department of property and supplies was created as a centralized purchasing agency. The budget system was adopted, and to secure greater flexibility, appropriations were made in lump sums which were expended in accordance with previously made plans. Each department reports monthly to the governor, through the state budget officer, plans for expenditures for the next month. Financial control plus the necessity of constant planning in advance is thus secured.

The manner in which the personnel management fits in is now apparent. The governor through his personnel agent keeps control of employment policies. Each department receives the assistance of the personnel agent, and each head is allowed all the scope in hiring assistance consonant with what the governor conceives the good of all departments to be.

In other words, the governor requires that the classification and salary standardization be maintained, that no one be employed who does not, in the opinion of the personnel division, possess the necessary qualifications, and that the rules fixed by the personnel division be observed. Within these limits each department head exercises his own judgment in employment matters.

POSITIONS ARE CLASSIFIED

The first big job in personnel was the classification of all positions. The classification of all employees of the central departments (exclusive of the three departments with elective heads) including the field employees was put into force October 1, 1923.

It provides for seventy-seven standard positions with from three to six salary grades for each position. General qualifications are provided for all employees and special qualifications are set for each class. The legal force of the classification grows out of its approval by the executive board. It is the duty of the personnel division to keep the classification current, and to this end it has been necessary to resurvey one bureau only.

The net increase in payroll growing out of classification amounted to $90,000 per annum. The total increases were $140,000 and total decreases $50,000. Employees who had been receiving more than the maximum allowed their class by the new arrangement were reduced to the maximum. This accounts for the decreases to the amount of $50,000. Less than six persons so reduced resigned from the service on that account.

The increases went for the most part to underpaid women on the principle of equal pay for equal work. Decreases were suffered mostly by overpaid men politicians. Even before the classification there had been a 15 per cent reduction in payrolls of the central departments due to a reduction in the number of jobs. Such reduction was made necessary by the reduced operating budgets allowed each department as a part of the economy program by which during the first biennium an inherited floating indebtedness of $30,000,000 was absorbed, by means of savings in the operating departments, without increasing taxes to meet the deficit.

THE ROUTINE FOLLOWED IN FILLING VACANCIES

Vacancies in the classified service are first reported to the personnel officer, who certifies the name of an eligible person to the department head. The latter may submit names if he desires, but it has become the practice to rely upon the personnel division for stenographic and clerical help. In case of positions above these two grades, the personnel division examines the qualifications of the persons nominated by the department head and if they are satisfactory approves their selection. If the department head makes no recommendation the personnel division must hunt up a qualified person. If the department head recommends a person without proper qualifications he is given another chance to make a selection, or the selection is made by the personnel division. In accordance with the policy of imposing full responsibility upon the departmental executive, the heads are given wide discretion in choosing subordinates, subject to the duty of satisfying the personnel manager that the prospective appointee has the minimum qualifications and that he is assigned to the proper salary grade within his class.

After an appointment has been approved by the personnel manager and by the department head it goes to the governor, or in routine cases to the governor's secretary. If approved the appointment goes through.

It thus appears that the governor, or his secretary, has his hand in every appointment small or great. It is also true that every person before appointment makes a specific promise to support loyally the "policies of this Administration." Now obviously there is here introduced a new element in addition to a man's qualification for a specific task framed in the abstract. The candidate undergoes an investigation respecting qualifications which no formal, general test will reveal. Can it be justified? Does its propriety depend upon how it is used?

Governor Pinchot believes that loyalty is a proper test to be applied after the candidate has passed the others. He has gone the limit in accepting complete responsibility for his administration, and he wants the power to prevent it from being sapped from within. He will tolerate no political work against him, but states that he demands no positive political services from the employees. And he wants the new employees to be people who will enjoy working with him. In one matter he is emphatic. He has taken a strong stand on prohibition enforcement; he doesn't want to offend his supporters by appointing a bootlegger or the son of a bootlegger to office. He wants to keep his administration respectable and he retains final decision as to the moral qualifications of candidates for state positions. Of course the office of governor is a political office as well as an executive office, and a "political" disqualification if serious may become a "moral" disqualification in the mind of the executive. Mr. Pinchot knows this and admits that his whole plan of personnel management is just what the executive makes it. But if there is machine control of the executive, he believes, there will be machine control of any civil service commission which can be devised. There is danger, he says, of so restraining the governor from going wrong that he can't go right. He believes that employment management should be driven into the open, which means that it must be placed under the executive. If it is in the open, the people can correct it; if it is under cover, they cannot. As a writer of the Federalist has it, "Executive power is more easily confined when it is one."

A RECENT INCIDENT

I think, however, that it must be admitted that recent action by Governor Pinchot in connection with the speakership fight in the present legislature gave the disinterested friends of the merit system some grounds for alarm, and demonstrated the weakness of the present arrangement in Pennsylvania. The candidate for speaker being supported by Mr. Pinchot was bitterly opposed by organization Republicans from all parts of the state. When the fight was at its hottest, the governor discharged approximately a dozen state officers and employees and threatened others with dismissal in an effort to swing their political patrons into line behind the candidate. Doubtless those employees were politically active; probably they were also inefficient. But Pennsylvania has never committed herself to civil service reform. Efficient employees who do not mix in politics have no assurance that they will be continued in office under a new administration, when a return to the spoils system seems inevitable, unless they are politically acceptable to the people then in power. As a result, there must be a considerable number of state employees who expect to lose their jobs about January 1, 1927, unless they play the game as it has generally been played in Pennsylvania.

A weakness of the Pennsylvania arrangement, therefore, is that no legal institutions have been set up upon which the efficient, non-political civil servant can rely for continued employment in the next administration. Undoubtedly there is a certain advantage in having the civil service system embodied in law. Years of sound practice which established strong precedents are better, but Pennsylvania has neither. Yet no one can blame Mr. Pinchot for this.

Nevertheless, in the speakership fight he used his appointing power to aid his legislative program. Many high-minded executives, state and national, have done the same thing, explaining that the end justifies the means. But in so doing they have delayed the day in which positions in the public service will offer a career, the rewards of which will be rewards for merit. Mixing up the administrative service with legislative or political programs, no matter how desirable they may be in themselves, is what the merit system was created to abolish.

EXAMINATIONS AND PROMOTIONS

The personnel division has not been able to organize group examinations for entrance. Applicants must furnish a complete record of their past training and experience, and when they come up from consideration the division gets in touch with past employers and goes over their records as any well-run business would do. Applicants for positions as typists or stenographers are given practical tests. For these classes Harrisburg is the chief source of supply and the division keeps in close touch with the local high schools. Only pupils who have finished in the upper ranks are accepted, and then only after their family history is found to be satisfactory. For the lower ranks there is a three-months probation term. As related above, a department requiring this type of service simply requisitions as many clerks or stenographers as it needs, and they are supplied from the eligible lists. Examinations for mine inspectors, game wardens, state troopers and certain factory inspectors are given by individual departments. For the higher positions, especially for the technical and vocational classes, the department may dig up its own applicant, upon whom the personnel division passes to ascertain whether he has the qualifications and to determine at what salary he shall begin.

No appointment is ever made in the classified service without the approval of the personnel division.

Salary increases are considered in June and January for employees at Harrisburg; and in April and September for field employees. The rule enforced by the governor is that all positions be filled by promotion if possible. Promotions are made on the recommendation of the department heads with the approval of the personnel division, which studies each case to see that the classification is being preserved. The departments keep no formal efficiency ratings, although the highway department keeps some records of personal productivity. Pennsylvania has been building roads at rapid rate, and the employment problems of the highway department have been so great that a special personnel section, which works under the central personnel director, has been established in this department. As indicated above, department heads show zeal in promoting employees, and the personnel authority has had to act more as a brake than as an incentive to promotion. The fact that 1,200 employees have been promoted to higher classes for merit without regard to their political affiliations and many others have had increases in pay within their class is an evidence of Mr. Pinchot's regard for the merit principle.

Training classes, conducted by the personnel division, have been established in typewriting, stenography, accounting, business correspondence, and English.

COMPLAINTS AND DISMISSALS

An effective agency for maintaining morale has been the complaint bureau. Anyone who feels that he has been treated unjustly can complain to the personnel division. Women employees make their complaints to a particularly gifted young lady with several years of experience in handling complaints. Men complain to the personnel director. Complaints are sympathetically received and investigated. Where it is felt that injustice is being done, the matter is taken up with the department authorities and adjusted. If the complaint is not well founded the employee is so advised, and in the explanation which attends much of the soreness is ironed out. Handling complaints is a delicate matter and can be successfully accomplished only when the working relations between the departments and the personnel agency are of the best.

Removals are initiated by the department heads, but, like all other personnel changes, must go to the personnel director for approval. The governor follows the recommendation of the personnel division.

A pension system has been established, which those entering the service after January 1, 1925, are compelled to join, but which is optional for those who entered prior to that date. It is supported by equal contributions of the employees and the state.

The reports, statistical tables and charts prepared by the personnel director represent a service which is new in Pennsylvania and is still lacking in many states. They have been very useful to both the governor and department heads in the determination of employment policy.

CONCLUSION

I have some knowledge of the *esprit de corps* of the state labor force in previous administrations in Pennsylvania. Unquestionably it has improved. Fewer people are doing more work and they are happy in doing it. Relief from pressure over appointments, with attendant embarrassment, which has released the governor's energy for the real work of his office is not the least of the benefits gained. Certainly it is more pleasant to work under conditions which aim at justice and rewards for merit than under the inequalities of the political feudalism which prevailed before, and, unfortunately, may prevail again.

It yet remains to be seen how much of the Pinchot civil service system will survive. It will have gained some momentum by 1927 in spite of the fact that it is not recognized in law, and an alert citizenry can secure its continuance and improvement in future administrations.

It ought to be possible to institutionalize the merit system so that it will be accepted as the normal thing, much as the spoils system was accepted before the dawn of civil service reform. Whether Pennsylvania is ready to do it is a dog of another color.

THE CASE FOR MECHANICAL BALLOTING

BY T. DAVID ZUKERMAN

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How the Voting Machine Eliminates Fraud and Reduces the Cost of Elections. :: :: :: :: :: :: :: :: ::

THE voting machine as a device for registering political opinion at the polls has had far less attention than it deserves. Although its use has been increasing, the growth has been much slower than warranted, in view of the obvious merits of the machine which become apparent even upon cursory examination. In only too many instances has the matter of its introduction or continued use been complicated by questions only remotely connected with its qualifications for eradicating the evils and wastes of elections held with paper ballots.

CHICAGO AND NEW YORK

The example set by the antagonism of our two largest cities, New York and Chicago, to the enforced introduction of voting machines cannot but have profound influence in retarding their progress. In the latter city the voters declared themselves in favor of the adoption of the machines by the overwhelming majority of 8½ to 1 as long ago as 1904. There was some difficulty in finding a machine to fit the needs occasioned by a system of cumulative voting in Illinois. Evidently the models submitted were not of as improved a type as are now to be had. It was not, however, on the virtues and defects of the mechanical device that the fight raged; these questions were submerged in the storm that broke over the tactics of the board of election commissioners in the letting of a contract for the purchase of 1,200 machines. It was the scandal of the alleged use of large sums of money by the company's agent to secure that contract that defeated the cause of voting machines in Chicago and in Illinois and "destroyed any likelihood that the subject will be revived for a long time, if ever." The reverberations of that scandal, in the form of a legislative investigation and litigation to compel the city to accept and pay for the machines lasted until 1920.

Legislation to compel the adoption of voting machines in New York City was passed in 1921 and 1922, which made the machines mandatory in first-class cities and provided for gradual installation during a three-year period, in order that equipment might be completed in time for the presidential election held last fall. Owing to the opposition of the local Democratic administration, authority for action passed into the hands of the secretary of state, at that time John J. Lyons, a Republican. Although the law authorized him to purchase the machines on behalf of the city, the manufacturers whose model he had chosen refused to make a contract. They did not wish to enter into the long litigation threatened by Mayor Hylan, Comptroller Craig, and the other members of the board of estimate, with consequent delay of payment for their product. With the passing of control of the senate into the hands of the Democrats in 1923, no further efforts were made to force the issue by legislative action. Neither did the Democratic secretary of state attempt to enforce the law, which thus remained a dead letter on the books. Now, however, that both houses of the legislature are controlled by the Republicans, it is expected that the law will be amended and strengthened to give whatever additional powers may be necessary to enable Mrs. Knapp, the new secretary of state, to proceed with installation of the machines. Attorney-General Ottinger has already indicated that the full power of his office would be used to back up her efforts, having informed the Board of Elections that he would insist on full compliance with the law.[1]

The most charitable explanation that can be found for the opposition of the local administration to the machines is their oft-repeated objection to state legislation imposing "mandatory expenses" upon the city, as well as their natural modesty, which takes the form of violent opposition to any suggestion for improvement which comes from any source other than themselves.

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[1] Since this was written there was introduced in both branches of the state legislature a bill which authorizes the secretary of state to purchase and install voting machines in all cities with a population of more than 175,000 in which they have not been adopted, purchased, or delivered prior to May 1, 1925. This would make the measure apply not only to New York, but to Rochester, Syracuse and Buffalo. However the latter cities already use voting machines.

To prevent the local administration from obstructing the enforcement of this law as it did the earlier measures of the same character, the state comptroller is authorized to pay for the machines if the city fails to make an appropriation for that purpose. The money thus expended is to be deducted from the city's share of the state taxes.

It is certain that this bill will pass the legislature although there is some question whether the governor will approve it.

NEW YORK STATE THE PIONEER IN THE USE OF VOTING MACHINES

Almost a third of a century has gone by since there was incorporated in the election law of New York state the first provision ever placed on the statute books permitting the use of mechanical means for casting and counting ballots. That same year, 1892, saw the first practical trial of the machines at an election in Lockport, followed two years later by another in the town of Cazenovia. A similar experiment by Rochester in 1896 led to a contest for the congressional seat that forced the subject to the attention of congress, which legalized their use for the election of its members.

It was not until 1898, however, that Rochester formally adopted machines as the exclusive method of voting. The example thus set was followed by Buffalo and three other cities in the state the next year. Cities, towns and villages followed each other in rapid succession, until at present 60 per cent of the electors outside New York City record their choice of candidates for office by machine. In Monroe county their use is universal, and in several others, including Westchester, Albany, Nassau, Rennselaer, Niagara and Steuben, almost so. While several cities have at one time or another suspended their use for longer or shorter periods, often for reasons beyond their control, Elmira, which had "abolished them owing to the expense of refitting them to comply with the present election law," has alone failed to reinstall them. Of the sixty cities in the state only seven have lagged behind, including New York City.

VOTING MACHINES LEGAL IN MANY STATES

Although it may appear surprising, in no other country but the United States is there any evidence of machines being used or even allowed in elections. All told half of the states have adopted legislation permitting the use of voting machines, requiring in some instances amendments to their constitutions. In Ohio the law was declared void by the courts, which construed the meaning of "ballot" as found in the state constitution to mean "written paper." In Illinois, Minnesota, Michigan, New Jersey, Rhode Island, Iowa and Montana, the interpretation of the same word by the courts was in favor of the machines. Nevertheless, two of these states and four others have for various reasons repealed the laws, often after years of satisfactory and, indeed, enthusiastic use. In the case of California the repeal was only temporary, for an amended law was re-enacted in 1923, only two years later.

Legal authorization has not necessarily meant the scrapping of the old methods. In at least five of the states where voting machines are permitted they have not as yet been introduced. In others they are not used extensively or have been discarded because of the tactics of opponents, or of those who desired to take advantage of their use for partisan or selfish ends. In Minnesota, for example, machines had been adopted by Minneapolis in 1908. So far as is known there were no complaints as to their accuracy or otherwise. In 1912 and 1913, however, provisions added to the election laws required the printing of sufficient ballots for at least half of the electors, to be given to those who expressed a desire to vote by that method or who appeared to vote when the machines happened to be in use. The mixed system led to additional expense and caused such confusion as necessarily to lead to the abandonment of the machines. In Wisconsin, where machines had been introduced as early as 1902 and where a dozen of the largest cities containing a third of the population were enthusiastically using them by 1915, legislation compelling the use of paper ballots on county questions likewise led to their being discontinued in 1920. In 1903 New Jersey began gradually installing them at the expense of the state. At first they were received with great enthusiasm, the various communities displaying considerable rivalry in their attempts to attract attention to their own needs. Introduction on a piecemeal basis, however, required the use of two methods of voting in the same locality. This did not work very well. The belief spread that the matter was being handled in a manner calculated to give partisan advantage, and petitions poured in protesting against them until they were abolished in 1911.

EXTENSIVE USE PROVES THEM SATISFACTORY

In some states voting machines are used to a very considerable extent. In Connecticut, every city of importance with the exception of Ansonia and New London, and many large towns, are supplied—in other words practically two-thirds of the voters use mechanical methods. In the state of Washington machines are used very generally in the populous Puget Sound group of counties, including the cities of Seattle and Tacoma, and affecting about half the voters. In Indiana 20 of the 92 counties, containing in all 45 per cent of the population, use them. Machines are mandatory by law in eight or nine of these having a population of 36,000 and over. Thus the largest cities have been using voting machines for years. Many cities of Michigan have adopted them, including Grand Rapids, and their use is spreading quite rapidly in that state. True, Detroit came to the questionable conclusion, after an investigation, that the machines offered no advantage other than a more rapid canvass—and this would not be sufficient compensation for the required expenditure of $750,000 for equipment. Nevertheless, according to Russell F. Griffen, secretary of the Grand Rapids Citizens' League, it is predicted that voting machines will be used universally throughout the state within a few years. In Iowa, 27 of the 99 counties, including the cities of Burlington, Des Moines and Davenport, have been equipped for years. Silver Bow, of which Butte is the county seat, is the only county in Montana to have adopted them. San Francisco, whose original equipment was partly destroyed in the earthquake and fire of 1906, again adopted the machines in 1923, immediately upon re-enactment of permissive legislation, and is gradually equipping the entire city.

Voting by machine is thus sufficiently widespread to make fairly simple an appraisal of its possibilities. A device that has been in use in numerous communities for continuous periods of 20 to 25 years can no longer be considered an experiment. It must have definite advantages to offset the necessary outlays of considerable sums of money for equipment. Every survey has evoked a practically unanimous chorus of enthusiastic praise showing the intense satisfaction of officials and voters alike. For example, H. A. Nichols, commissioner of elections of Monroe county, New York, since 1908, and before that a deputy in the office of the county clerk since 1898, and thus in a position to have observed voting machines continuously since their introduction into Rochester, has stated that in his opinion "there is no good argument against the voting machine. I honestly believe that they are the best method of voting yet devised. . . . The machine is honest, accurate, economical and efficient and no municipality will regret adopting them as a method of voting."

The voting machine may be considered a political adding machine or cash register. It supplies the mechanical accuracy, reliability and efficiency which we ordinarily expect and secure from its prototypes in commerce. It furnishes a rapid method of voting as well as of tabulating the ballots cast, at material savings in cost over the paper ballot method. To a large extent, likewise, it provides a remedy against dishonesty as well as the errors which are due to fatigue and the human frailties and weaknesses which have made generally advisable the substitution of machines to guard against the failure of "the human element."

CHANGED CHARACTER OF ELECTION FRAUDS REQUIRE MODERN METHODS OF PREVENTION

Fraud has not been eliminated from our elections, as the irregularities cited in our newspapers annually bear witness. Dishonest methods at the polls have changed, however. We hear comparatively little about colonization, repeating, or other forms of illegal voting. Instead there are charges and counter charges of fraudulent counts, of defaced, mutilated and substituted ballots, or the total disappearance of ballot boxes and their contents. To engage one man to alter a hundred ballots is much cheaper than hiring one hundred men to cast them, and indeed, much less dangerous. Accordingly, election frauds are now committed chiefly in making out the returns, recording false counts and certifying false returns.

The charges made before the congressional committee investigating the Chandler-Bloom contest after the special election held on January 30, 1923, in the nineteenth congressional district may be cited as an example. The findings of the committee as given in the majority report were to the effect that some districts had been so tainted with fraud that the truth was not deducible, and the entire returns should have been rejected. Even the minority report admitted fraud, contenting itself with an insistence that there was no proof that it had been perpetrated by the contestee. In the Ansorge-Weller contest errors in marking and counting the ballots, whether intentional or otherwise, were also shown.

The voting machine reduces fraud to a minimum just as the cash register prevents dishonesty. By his own action in leaving the machine each elector registers one vote and one vote only for each of the candidates of his choice on hidden counters locked from sight until the polls close. The process is even more simple than marking with a pencil an unwieldy paper ballot that must be manipulated on the narrow shelf of a voting booth. All the candidates are displayed on the face of the machine standing upright in front of him. The pull of a lever or turn of a knob indicates the choice. Errors are readily seen and easily corrected. The operation is so speedy that one machine easily accommodates more voters than half a dozen booths. The law, recognizing this fact, generally permits election districts to contain many more voters when machines are used than with paper ballots.

RESULTS KNOWN AT CLOSE OF POLLS

When the polls close there is no necessity for a lengthy and exhausting process of opening, examining, and counting individual ballots. The tally has proceeded accurately and automatically just as rapidly as the casting of the ballots themselves and is complete when the last voter has left the machine. It is merely necessary to unlock the machine and expose the counters, from which the total votes recorded for each candidate may be read off and copied on the tally sheets. The average time in arriving at the result of an election in the city of Buffalo, the second largest city in the state of New York, is approximately one hour. Within that time, usually, returns are received, tabulated and published in the extra edition of the evening newspapers. The workers' tasks are so lightened and their hours shortened that the law of that state specifies a reduction in the pay of the inspectors from $15 to $10 for election day, besides eliminating the two clerks required with paper ballots.

NO POSSIBILITY OF VOID OR QUESTIONABLE BALLOTS

When paper ballots are used there is an enormous loss of votes resulting from defective, spoiled and doubtful ballots. With the machines, on the contrary, every vote counts. The voter is guarded automatically against errors such as make paper ballots defective or at least doubtful. The machines, while allowing all possible legal combinations, cannot be made to register more than the legal vote for each office. In no state may they be used unless they have been certified previously by the proper official to be of such construction mechanically as to conform thoroughly with the legal requirements. There is only one possible method of voiding the vote. That is to cast an irregular ballot, *i.e.*, to write in the space provided for independent voting the name of a regularly nominated candidate for whom provision has already been made on the machine.

MACHINES LEGALLY AND MECHANICALLY PROOF AGAINST ERROR AND FRAUD

The claim is frequently made by opponents of the machines that they are susceptible to error and can readily be tampered with. Again and again reference is made to the testimony of the experts in the Chicago case, to the effect that elastic bands, clips and bits of metal could be inserted at vital points to control the movement, or that it was possible to set the counters ahead instead of at zero and to hide the fact in such fashion that the evidence would be destroyed during the process of voting. It is apparent that such few difficulties as have arisen have not been due to faultiness of the machines, but rather to misunderstanding or to errors of unlocking and setting them in preparation for use. They were usually quickly remedied by the custodians. The extra machines which all cities prudently keep in reserve for emergencies seem seldom to have been needed for that purpose. Both the construction of the machines and the provisions of the law for inspection and certification by the bi-partisan election board to the effect that they are operating correctly and the counters are properly set at zero make them practically proof against manipulation. In the latest models the counters are covered by plate glass slides to prevent accessibility, and there is an elaborate system of locks and seals which makes it impossible to manipulate or even to see the counters while the vote is in progress. When the polls close the machines must be locked against further operation before the counters can be exposed to view, so that the count recorded by the ballots cast cannot be changed until the machines are set for the next elections. Errors in copying the figures can be readily verified, and such verification is all that is required for a recount.

In the opinion of election officials "the machine approaches as nearly as possible a fraud-proof and fool-proof method of conducting elections." They "cannot readily be tampered with," despite the fact that "we have tried every known device to do so for experimental purposes." Fraud is possible only by the collusion of all the election inspectors before the polls open, and that only if they are well acquainted with the mechanism or secure the co-operation of the custodian also. Even then there will be discrepancies between the number of votes cast and the total number of voters as evidence of error or fraud.

LARGE ECONOMIES EFFECTED

Not only is the quality of a machine election likely to be superior to that where paper ballots are required, but it is to be had at considerably lower cost, because of the following factors:

1. Reduction in the number of election districts.
2. Reduction in the number of officials in each district.
3. Decrease in salaries of officials retained because working day is shortened.
4. Reduction in cost of printing ballots.
5. Reduction in cost of other supplies.
6. Reduction in rental of polling places.
7. Elimination of litigation attending contest and recounts.

So striking are the facts on the matter of expense, that the report of a survey dealing with the machines made by the New York State Bureau of Municipal Information is headed "How Voting Machines Reduce the Cost of Elections." In Report No. 943 issued by the same organization on November 14, 1923, in which the use of machines for voting is urged in order to reduce election expenses, it is shown that, excluding New York City, the average cost per vote in 1922 was 67 cents in cities using machines as against 88.6 cents with paper ballots. As these costs do not include the printing of ballots, which are provided by the counties the savings are much greater. In individual instances they ranged up to 50 per cent.

In Iowa during the presidential elections of 1920, the cost ranged from 17 to 21 cents per vote in counties using machines and from 40 to 77 cents where paper ballots were used. In Seattle the use of machines cut the cost from 28 cents per vote in 1912 to 12.4 cents per vote in 1920. Grand Rapids, spending an average of $22,400 annually, estimated a saving of $9,560 by the use of machines. Not only did they find "after two years' use of the voting machines that the estimated saving was conservative," but point to additional economies of $4,000 annually from the consolidation of election precincts after the law was amended to permit such consolidations. In San Francisco the districts using machines showed reductions of 50 per cent over those in which they had not yet been installed.

A conservative estimate indicates that, after all other possible economies had been effected, the use of machines in New York City would result in saving $400,000 annually in ordinary years and $50,000 more in presidential years, as well as another $50,000 if the state election law were amended to permit the use of machines in the primaries. The use of two machines in most districts would mean a further economy of $150,000 annually.

Experience shows that the cost of installation has easily been met in from four to ten years, the average being approximately seven. As a matter of fact the manufacturers in many instances are able to induce the local authorities to install machines only because of their willingness to accept payment for the purchase price in installments derived from the savings effected.

OBJECTIONS VOICED OF SLIGHT VALIDITY

What force there ever was in the objections voiced seems to have disappeared with the passage of time and the development of improved models. Most of them seldom or never had any basis in fact. It is not true, for instance, that use of the machines is conducive to straight voting. No statistics have ever been quoted in support of this claim, whereas it is easy to quote election returns proving the contrary. Neither is it possible to tell from the clicks or the length of time spent in the machine how one is voting—nor, for that matter, whether he is voting a "straight" or a "split" ticket. Breakdowns have been so few in number that they have been forgotten even in the cities where they have occurred. The cost for repairs has been comparatively slight. Buffalo is still using the machines purchased in 1899 and Oswego those bought the following year, although they have been altered or improved to fit the changes made in the election laws since. In fact, from whatever angle the subject is approached, the facts are overwhelmingly in favor of the use of machines instead of paper ballots.

PUBLIC WELFARE! WHOSE RESPONSIBILITY?

HOW CITY AND PRIVATE AGENCIES SHARE IT IN BOSTON

BY ROBERT W. KELSO

Executive Secretary, Boston Council of Social Agencies

Every city has a public welfare problem which must be faced by government and private agencies in co-operation. How should responsibility be divided? This is the first of a series of articles describing how typical cities are facing the issue. :: :: :: :: :: ::

THE New England Yankee has ever been an experimenter and an inventor. In the field of mechanics his tinker genius has long been a by-word. In social engineering his prowess is not so well known; but it is none the less noteworthy. And if, in an examination of his social institutions, more than one wooden nutmeg be uncovered, it is not to be held up as a cloud upon his title to great praise in the building of that defense system which society in these intensive latter days discovers to be essential to progress.

When to this intensive mental ebullition is added the further fact that organized social service in Boston is 300 years old, the readers may be prepared to find within this quaint old city of the new world a vast number of social service enterprises, public and private, founded at the critical moment of need; perpetuated through the Puritanical stubbornness of the law;

and forced into post-mortuary vigor by the dogged persistence of the Boston complex.

Boston's philanthropic practices of to-day have been beaten out of the hard rock of experience; so that it is only by looking down the vista of those three centuries that true perspective of the present situation can be gained. At first sight the observer wonders that Boston has never provided asylums and orphanages for dependent children. In the beginnings of the Plymouth and Bay colonies there were no charity foundations, nor any public monies out of which to build orphanages. Necessity drove the governor and assistants to place children out by indenture. Hence the practice of foster home placement now established as state and municipal policy throughout Massachusetts. One wonders also at the excessive number of insane and mentally defective persons in Massachusetts institutions—1 in every 192 of the population—and at the great volume of outdoor poor relief. But wonderment is largely dispelled by referring back to the practice of England and the continent a century ago, by which mental defectives were emigrated from poor law unions to New England, here to be cared for as an unclassified mass in our almshouses. These hereditary strains still persist in the old Commonwealth, yielding each year their excessive quota of ne'er-do-wells and feeble-minded dependents for the public to support.

GROWTH OF PUBLIC RELIEF

It was natural in a pioneer colony of Englishmen that the charity practices of old England should be copied as nearly as local conditions would permit. The overseer of the poor, established in Old England in 1572, has his exact counterpart in the overseer of the new Boston. The Massachusetts law of legal settlement describes in all essentials the law of the mother country. And out relief as now practised in Boston is identical with the same process in old Boston and her sister towns of Lincolnshire.

It was in the French and Indian War that the burden of relieving large numbers of refugees first bore heavily upon Boston. She sent petition after petition to the general court for relief until, in 1675, "the province poor" became recognized as a responsibility for the state government. These were persons wherever found, who were without legal settlement in any city or town. From that day to the present the ranks of "the state poor" have been steadily increased by the addition of special groups until now the government of the commonwealth as apart from that of the city expends more than $400,000 annually for the care, custody or relief of persons found living in Boston.

The Massachusetts system of public social welfare calls for the centralization of method and policy in the state government, leaving the administration with local communities, but assuming *in toto* the treatment of special groups. Thus the unsettled poor are cared for either in state institutions or by out relief by local overseers but at state expense. Mothers' aid is supplied to a total of 45 per cent by state funds though municipal officers administer the relief. In this way the Boston overseers laid out $938,904.62 in 1923, $342,938.67 of which was reimbursed to them by the state.

The insane and the feeble-minded are cared for by the state out of taxes apportioned to the several cities and towns. Boston pays some 40 per cent of the state taxes raised for all purposes and receives back about one third of her poor law outlays in state refunds for poor relief.

Juvenile delinquents, when committed, go to state reform schools and most adult convicts to the county house of correction and the city jail, these being the city's only receptacles for the care of law breakers. The city has its almshouse and hospital where it houses more than 1,100 inmates at a yearly expense approximating $400,000; its house of correction; its jail and a child-placing department with 2,000 children in custody.

In the field of health the City Hospital cares for acute cases; the sanatorium receives the tuberculous, and health education is given a new ally in the health centres in the West and North Ends. New units are planned for East Boston and the South Boston district.

Taking the items of her public social welfare program at a glance, Boston is thus providing foster family care for her neglected and dependent children; is conducting an extensive probation service for juvenile delinquents and is sending committed cases to state care. She conducts an almshouse for the dependent poor who are too infirm to be aided in their own or boarding homes; and is distributing out-relief to all other dependents with or without legal settlement, the unsettled cases, however, at state expense. She conducts an acute hospital for the dependent sick and a sanatorium for the tuberculous, but sends all insane and mental defectives to state care. In addition she aids and abets the educational service of her regular health department by a system of health centres, two of which are already in operation. These centres represent also an important juncture between public and private agencies.

This grist of service cannot be calculated in terms of separate individuals as records are incomplete and duplications are known to exist. It is possible to state that nearly a thousand children come to the city's care in a year; that the hospitals supported by the city afford 273,215 hospital days' care, mostly to dependent patients; and that the overseers of the public welfare give mothers' aid to 1,300 families and outdoor poor relief in 3,500 families, the two groups representing about 15,000 persons. The bill for all this welfare work totaled $4,551,894.94 for 1923, the last available data. It approximates 10 per cent of the city expenditures.

PRIVATE RELIEF BY PUBLIC OFFICERS: THE POOR GET THE USE OF A COW

The practice of citizens in colonial times of leaving gifts and trust estates to public officers, in particular to the overseers of the poor, has resulted in that board now holding seventeen such private trusts with an aggregate of $900,000 in funds. The interest yield, approximately $89,500, is disbursed to needy persons and families in accordance with the term of each particular trust. Two hundred and twenty-six instances of aid were shown for the year 1923.

The quaint records of the earliest town meetings of New England are replete with instances of this practice. The first gifts were in the form of cattle. Now and then a bequest of "beaver" was made, for money there was little and money standard of value there was none. The first entry in the Plymouth records occurs in 1624, when a heifer was sent over in the ship *Charity*, as a gift to the governor and assistants to be pastured out with poor families in turn, they to take the milk and the increase to belong to the colony for further use in charity. By 1638 this original gift amounted to twelve head of cattle.

One standing in the State House

Dome, looking down upon Boston Common, may still in his mind's eye see the cattle of the villagers grazing there, among them the charity stock belonging to the town. At sunset they will be driven home by the children of those families to which by order of the overseers of the poor they have been assigned. Even the cow herself was sometimes accorded recognition. An entry in the records of old Concord reads as follows: "The Selectmen being informed of y^{e} great p^{r}sent want of Thomas Pellit they give order unto Stephen Hosmer to deliver a Town Cow unto s^{d} pellit for his present supply, who accordingly delivered a cow upon y^{e} account affors^{d} unto him s^{d} pellit which cow is of a black couler, a white face with black spotts round each eye, & s^{d} cow is to continue wth s^{d} pellit so long as s^{d} selectmen Judge necessary."

In any final appraisal of organized philanthropy in Boston this time-honored appreciation of governmental organization as a fit channel of social service must be taken into account. Within the present generation, the city has received two gifts, one by the will of Francis Parkman, the other from George Robert White, aggregating more than $10,000,000 in capital funds and yielding approximately $450,000 each year for general beautification and improvement of the city as a place to live in. The Parkman trust is used more specifically in the improvement of parks, while the White fund is at present applied to the development of health centres. Both of these gifts but followed the illustrious example of Benjamin Franklin, whose benevolence now stands as a great trade school helping the young artisan as Franklin in 1793 desired that his town of Boston should do. All told the city now holds such private trusts for public uses to a total exceeding $17,000,000.

GROWTH OF PRIVATE AGENCIES

In general, government undertakes outlays of money for social welfare purposes only after long insistence and complete demonstration of the need by interested citizens. The public enterprise when finally undertaken is in essence the execution of the will of the people expressed in the statute law. This administrative field is in general the province of public social welfare. But the long process of experimentation, of trial and error, by which the need is revealed and the method of meeting it demonstrated must be left to those same public-spirited citizens who organize themselves into groups or societies for the purpose. These groups are our private social agencies.

In Boston there are nearly 400 chartered enterprises professing some public welfare service. The number of unincorporated social work enterprises probably exceeds 100. Of all these not more than 250 are of consequence. In this active group are 34 agencies that care for children through homes, or placement or day nursery work,—42 offer health service, including 10 general and 9 special hospitals and one for maternity cases. It includes 8 dispensaries, 2 convalescent homes and 7 non-institutional health societies. There are 25 bodies carrying on family relief work. Twenty-eight are settlement houses or render neighborhood service. Thirteen are homes for the aged. The large remainder is too various to classify.

Social agencies come and go. Some 30 Boston societies receive charters from the commonwealth each year, while about 20 fail to grow beyond the cotyledon stage. In general an enterprise founded upon an impulse of the heart and a hope that benevolence will flow withers in the heat of the day; while the less impassioned effort taken up at the direction of a testator who has left real gold for its foundation lives and extends its tap root like an oak at the bank of the river.

FORTUITOUS GROWTH

In Boston as elsewhere, social service agencies have sprung up as the need and the emergencies of the times have called for them. The earliest organizations attempted almost always to grant relief to some limited group of individuals and their families, usually within some one of the church denominations, or a single nationality. The Scots Charitable, the Charitable Irish Society and the British Charitable Society were the earliest private organizations on the scene. For nearly two centuries relief of a community-wide sort was invariably given by the public overseers of the poor, while such private relief as was rendered came from these special societies.

By the end of this period five children's homes; two child-placing societies; and three organizations for the protection of girls had come into existence. By this time also there were two dispensaries and three special hospitals. In 1850 the total number of the special relief bodies was twenty-three.

Very little of a permanent nature sprang up during the decade of the Civil War; but by 1870, when the stress of the reconstruction period was entering its more critical phase, organizations came rapidly into being for the hospitalization of the sick, the relief of the handicapped and the assistance of working people. It was in the next ten-year period, known to American Social Service as the golden eighties, that the true elements of the Boston program of social service began to take shape. Thirty-four of the charitable corporations now active in the city were established in that decade. Considering that the mortality rate is so high among social and reformative efforts, this is a high degree of permanency.

Of special note in this period is the beginning of the settlement house movement. Though Roxbury Neighborhood House, founded in 1878, is the pioneer, three new houses were established before 1885, and three more before 1890. By 1900, eleven more had been added, which with the nine opened since the beginning of the new century affords a total of 27 units engaged in settlement work in Boston proper.

The important developments of the twenty-year period opening with this century are the rapid upgrowth of hospital and dispensary service; the multiplication of boys' and girls' clubs; a recrudescence in the creation of special relief bodies; the upbringing of numerous research and health educational enterprises and the building of ten homes for the aged.

It is probable that the year 1920 marks the end of fortuitous growth; for in that year, approximately, begins the world-wide federation movement, a new epoch in social welfare methods, which finds its springs in a growing community consciousness and sets for its aim the development of a coherent and comprehensive program of social service for the whole community.

OUTLAYS

The 250 active units of private social service in Boston spend something over $14,000,000 each year for all purposes. The correct figure is known to be probably in excess of fifteen millions; but accurate data for a few organizations are not available. Approximately 40 per cent of this total goes for hospital, dispensary and other health services; 12 per cent is expended in settlement and neighborhood work; 10 per cent goes to child care; and 3.6 per cent maintains the 19 homes for the aged. The remainder is absorbed in general and special relief and in the large group of miscellaneous enterprises.

But though the entire effort here represented is made in the interest of the public, not nearly all of it is charity. The whole group of private agencies earn 54 per cent of all their outlays in fees, sales and refunds. Thus the total expenditure by private charitable corporations for which there is no return from the recipient is about $7,000,000 a year. It is of interest to note also that 19 per cent of total outlays comes from invested capital, leaving 27 per cent to be met yearly by the benevolent public.

PUBLIC *vs.* PRIVATE

Public and private social service effort in Boston are closely interrelated. Field work and assistance are rendered by the two groups acting jointly. In some cases private agencies supplement mothers' aid payments; in many instances they perform visitorial services for the public authorities. In playground and recreation service, in public health education, in child placement and in outdoor care of the aged, individuals in both fields commonly join in work upon the same cases. Both groups use the Social Service Exchange, which has now a master list of 600,000 names.

In its proper field of experimentation private social work in Boston exhibits an unusual amount of activity, but like many other communities there is a degree of duplication. The family relief given by a general relief society is exactly what the overseers of the public welfare should be giving within the spirit of the poor relief law. It is outdoor relief. It aims to be adequate. It is on an individual case work basis. But because public appropriations are limited and the eligible cases cannot be refused by the public almoner, it is seldom possible to make public aid adequate. Hence the supplement by private funds. In the special group there is such a departure from uniform treatment that public relief is impracticable. Again in the care of the aged, though the public provides both outdoor and almshouse care and has outstripped the private trusts in sound classification of indoor cases, private homes continue to increase in number. There is and may be always a desire to avoid the social stigma of public support.

THE SYSTEM AT WORK

If a child falls ill in Boston it may go to a general hospital or it may have the benefit of a special children's ward. If its home surroundings are not suited to its convalescence and later care, the hospital social service of any one of these hospitals may find convalescent care in camps in summer or in rest homes at other seasons. Usually they will turn him over to one of the child-placing societies, in particular the Children's Mission to Children or the Children's Friend Society, which will place him in a selected family home, where the housewife has been trained as a nurse.

If the little fellow's trouble has arisen from the neglect of parent or guardian the Society for the Prevention of Cruelty to Children may come in; or the state or city departments of child guardianship may accept him for care until the home can be rehabilitated or the child becomes capable of self-help.

If there is a conduct problem involved, the Judge Baker Foundation or the Psychopathic Hospital may make a study and submit a diagnosis. If necessary the little fellow may go to the House of the New England Home for

Little Wanderers for a period of observation pending placement.

Boston has extensive provision for the protection and care of children. The aged do not fare so well. If an old lady of seventy finds herself with but a few hundred dollars left and is too infirm to earn she may appeal to her relatives, or she may go to the almshouse or she may seek refuge in a charitable home for the aged. Usually she tries the Home first.

But here she meets with disappointment. About one in every ten aged persons known to the Boston Homes for the Aged is standing in the waiting line and is destined to die there before a bed can be found for her in the Home. Applicants may wait from three to five years for admittance. Her course is usually to return to her lodging and live on her little remnant while she waits. A case arising in Boston recently revealed such an old lady, who, when her savings dwindled to $160, deposited them with her friend who was an undertaker and then went to the almshouse. She was determined to avoid a pauper's grave.

Viewing the entire field broadly it is a heterogeneous mass not yet co-ordinated into a working system. But the effort toward such integration is already under way. The Boston Council of Social Agencies, established in 1920, includes both public and private agencies. It is a federation now comprising 130 organizations, aiming to align their various enterprises in one consistent program of service. Already they find gaps where the chronic and the convalescent sick are receiving inadequate attention, while general relief and child care show much duplication. Several junctures, especially between children's agencies, have already taken place. Others are just in the offing. Problems in public service—the policies to be pursued in extending mothers' aid; the development of more self-help service for the blind; the upbuilding of psychiatric service in connection with the courts, and many others—are placed upon the counsel table for discussion before adoption. Such an accord is springing up that it is now possible to claim for social work in Boston that the epoch of isolated individual effort has passed and the era of co-ordinated service has come.

THE POWER AND PRACTICE OF VIRGINIA COUNTY BOARDS

BY MARY ELIZABETH PIDGEON

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Due to city-county separation, county government is a rural job in Virginia. But it hasn't been too successful, and Governor Trinkle has recommended the county manager plan. Another article in our series on county government. :: :: :: :: :: ::

WHEN faced with the question as to whether the most fundamental problem of the county board is one of personnel, one of organization, or one of public ignorance or indifference, we are bound to admit that each of these elements enters heavily and quite unmistakably into the whole. And the greatest of these is public ignorance and indifference.

Members of county boards in Virginia are almost always citizens respected in their communities, most often farmers, sometimes lawyers, doctors, bankers, owners of mills, orchardists, even school men; almost always are they politicians in some measure; never, so far, are they women, though that will come in time. Considerations of friendship, and often of personal gain, either financial or political, are certain to influence many members of boards, at least in some of their decisions. However, this can by no means always be charged to dishonesty or to bad faith.

VARIOUS INTERESTS CONTROL MEMBERS

There is the member who interests himself actively in having a road run conveniently to himself or to his neighbors, in "building a boulevard by his own home with county money," as one disgruntled Virginian expressed it; or in having one repaired in a district not his own because some influential citizens there may in consequence support him for a county office in an approaching election. There is the member who interests himself in the rerouting of a mail delivery for the convenience of some special neighbors. He thereby wins their votes, and in turn binds himself to the member of Congress who engineered it for him. More questionable is the motive of the man who favors his own bank in the deposit of county money, securing an easy interest rate; or who even advocates county borrowing in order that his bank or his broker may profit by handling the bond sales. There is the natural conservative who has opposed rural supervising teachers, public health nurses, food demonstrators, or farm agents, but who is suddenly won to their support by the entrance into the field of some relative, or perhaps by the trading of votes with his fellow members in order to gain support for some measure of his own. There is the member who bends his activities toward the securing of a consolidated school in his district, or who perhaps opposes consolidation altogether, being influenced chiefly by the convenience of his own children. There is the member who assures for himself votes by small doles of money to some of the county poor in his district. Recent investigations, indeed, in some of our counties, have revealed poor lists unrevised for so long that amounts were paid as outdoor relief to persons no longer indigent, and in some cases in the names of those now dead. There is the "relic of the feudal lord," as one Virginia county worker calls him, who maintains in his wide and beautiful lands a mill run by his tenants, and a country store at which they buy their food. He does not want too much schooling to be afforded in his district, lest his retainers grow dissatisfied, nor too much county attention to health and poor relief, lest they cease their dependence on his bounty.

The writer recalls, from some county recently visited, at least one example of each of these types, and recalls also examples of board members charged with some such motive, who were in reality acting upon sincere conviction or sound business theory. It is often very difficult to draw the line between a man's honest opinion based upon principle, and his action upon purely personal considerations. Typical of the county problem everywhere is the status of isolation by which political groups hold a well-nigh absolute sway, since the citizens usually have few adequate sources of information as to how matters are handled in other counties.

SMALL BOARDS AND CITY-COUNTY SEPARATION

In Virginia, there are two outstanding advantages: the small size of the board; and the independence of cities from county areas. The latter appears to be unique as a state-wide situation, and it has existed here since colonial days. It means that in respect to elections, taxation, law-enforcement, and other matters, entirely separate jurisdictions exist, the county areas being distinct from the city. The city dweller is not subject to county tax, to regulations of the supervisors, or to the police system of the county, nor the county dweller to those of the city. Thus the confusion of overlapping powers and the duplication of officials within the same territorial units, both of which burden the counties of so many states, are here greatly minimized. Thus the county problem becomes essentially rural in character.

The Virginia board is elected, for a four-year term, by "magisterial districts," and since its small size—constitutionally, from three to eight members—has forestalled some of the difficulties attendant upon the unwieldy boards of some states, there is little sentiment for the formal question of election at large. Satisfaction with the present method of choice is rather heightened by the economic disunity of some of our counties. The magisterial district, as its name implies, was originally a unit of justice, and so remains to-day. It is now also the unit for poor relief, law enforcement, local levy, and sometimes for election. This district has no powers of self-government, such as the township in some states.

THE POWERS OF THE BOARD

Although it has been often quoted that "in legal contemplation, the board of commissioners is the county," yet in actual practice, the origin of the board and the restrictions on its action leave it far from a free or fully authoritative body in almost every sphere. The constitution states that the general assembly may confer upon it

> such powers of local and special legislation as it may from time to time deem expedient, not inconsistent with the limitations contained in this constitution.

In pursuance of this, power is granted to make ordinances and by-laws, to impose small fines, and to

> adopt such measures as they deem expedient to secure and promote the health, safety, and general welfare of the inhabitants, not inconsistent with the laws of the state.

A liberal interpretation of this measure would seem to allow almost as great a latitude as the "general welfare" clause of the United States constitution allows to congress within its field. In practice, however, very cautious use is made of this statute. Legal restrictions are numerous, and supervisors, often not versed in the law, fear to make some misstep, with a possible forfeiture of bond. In addition, they are hampered in the performance of many responsible acts by lack of appointive authority over those officers upon whom they would have to depend for execution. This reverts to the historical origin of the board as differentiated from the county court.

The court retained its judicial[1] prerogatives, conferring on the board the legislative duty of financial planning. The administrative functions were divided between the two, the board being given highway control and the appointment of highway officers, while the court held the appointment of all other officers not made elective. It was not then[2] fully appreciated what a handicap to the board would be the lack of authority insuring effective financial control, and the difficulties of the decentralized administrative system.

Traversing the county functions connected with public health, education, welfare or poor relief, election, justice and police, we find none of these, except in respect to the need for money, under the county board; nor does it, as in some states, equalize the assessments made by elected tax commissioners. Activities in all these spheres are more or less directly under state boards, and all are still partly controlled by the circuit court through appointments. The natural outcome of the fact that the supervisors thus have greater administrative control over highways than over any other branch of county life has been that interest and money were especially concentrated upon this phase of development. Further, neglecting, and being politically encouraged to neglect, that other great authority of the board, the financial, the average voting citizen came to believe that the choice of supervisor ought to be primarily the choice of one who knows road building. Thus a vicious circle appeared.

The financial administration, however, so far as it can be exercised unhampered, is the keynote to the real power of the board. This may be considered under the headings of the levy; the letting of contracts and purchasing; borrowing; and appropriations.

COUNTY FINANCES

Although it applies more especially to elected county officers than to the board, a word may be said of the encouraging progress now being made in state financial supervision. Beginning July 1, 1922, the state accountant was charged by the general assembly with an annual audit of local accounts. Thus, comparative data will now become increasingly available to counties, not only in regard to methods of accounting and financial management, but also in regard to expenditures proportional to results in various lines. Both the public and the county officers will be enabled to obtain knowledge leading to improvements. In his first report, after the newly installed audit had been in process for three months and 43 counties had been covered, the state accountant said there were

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[1] The adjustment of claims against the county, which rests with the board, may be said to be a judicial function.

[2] The differentiation of the board took place during the reconstruction period following the war between the states. County courts have now been replaced by the circuit court which sits in from one to six counties. Its appointive power gives it an authority much more than county-wide, therefore.

> numerous errors, large and small, omissions, incorrect distributions to funds, inaccurate calculations. Certain practices contrary to the law existed, as for instance, some treasurers were disbursing without warrants, depending upon the receipted bills as vouchers for payments.

Further light is thrown upon the handling of county finances and upon the vast amount of good that can be done by a central check-up, by the recommendations of the accountant accepted early by one county board and since by the majority, that the treasurer pay claims only after warrants have been issued; that the supervisors keep proper records of miscellaneous items, such as capitation taxes, sale of county property, donations, etc.; that the treasurer adopt a uniform accounting system as outlined by the state office; that the commissioner of revenue receive no commission for extending taxes on public service corporations. In regard to the last point, however, the supervisors in some places correspondingly increased the rate of commission upon other classes of property, to make this good to the assessor. In his next annual report, the accountant further stated:

> The general improvement in accounting methods in local offices brought about by this service cannot be measured in dollars and cents.

The tax levy is complicated by its three-fold character, county and district levies are fixed entirely by the board within certain limits, and the state levy by the general assembly. The county and district levies combined are about eight times as great as the state levy, and are in addition to the various moneys received by the county as state aid for different purposes, such as roads, schools, etc.

The letting of contracts and the designation of banks of deposit is entirely under the jurisdiction of the supervisors, with the legal stipulation that no member of the board, or paid county officer, shall hold, or shall become interested in, any contract for the building of highways. That this has not always proven a sufficient safeguard is shown by the recent experience of one county. Here it was found that money secured by bond issues was deposited in a bank of which the chairman of the supervisors was president, and the chairman of the finance committee was a director. The money had lain in this bank for months without interest to the county. To prevent such situations, the Commission on Simplification of State and Local Government proposed to the 1924 legislature a bill requiring all moneys to be deposited on interest, but this recommendation was defeated.

Another bill proposed by the same commission, authorizing county boards to seek the aid and co-operation of the state purchasing agent in securing supplies, was passed. Since this is merely permissive, it is a question how far it will be used by counties buying in sufficient quantities to justify its employment. In the case of highways, where its need would be most obvious, much use is made of the purchasing department of the state highway commission, for materials both for state and for county roads.

Borrowing is usually by bonds, the rules differing somewhat according to the purposes, but generally providing for interest not above 6 per cent; for a maximum thirty-year period but thirty-four in the case of roads; for sale not below par; for the actual receipt of a true money consideration; and for approval by popular vote. Supervisors must include the interest as a part of their annual levy, and must provide for a sinking fund. These safeguards would appear adequate.

BORROWINGS

In practice, however, issues are often made without a popular vote, by the passage in the general assembly of a special permissive law for a county or district, particularly for road or school purposes. Of course, such a measure appears in the legislature as that well-known pernicious "local bill" which takes undue time of the members, and which no delegate or senator not from the section concerned would care to oppose. While sometimes rather wisely used to forestall a reactionary public opinion, this dangerous method has resulted in precipitating heavy indebtedness before the citizens knew the situation. It is usually done with the knowledge, and sometimes at the instance of, the board, or its individual members. In one place it was recently found that there were outstanding by various special acts two issues for the whole county to match state money for road building, two issues of separate districts to provide for one improvement, and one issue which had previously been authorized by the citizens. Commissions not authorized in the acts were sometimes paid to banks or to companies for the sale of these bonds; or deposit was made without interest, virtually creating what was prohibited, a sale below par. The local Taxpayers' Association charged that suit to recover some $85,000 lay against the supervisors and their cohorts.

Many of these financial difficulties would be overcome by adequate budget procedure, with the necessary accompanying publicity. A recent bulletin of the League of Women Voters of one of the counties makes the following statement:

> The supervisors have undertaken to balance the county budget. This has not been done for years, and as a consequence the county owes many thousands of dollars for expenses incurred in the past. The determination to balance the budget is therefore highly to be commended, provided the expected revenue is apportioned so that those things of first importance receive first consideration.

The bulletin also points out that the supervisors apportion nearly $35,000 to take care of a road building program previously entered upon, with $44,000 to salaries, bridges, poor relief, and health, "in decreasing amounts in the order named." Then it complains significantly:

> A county wealthy enough to pay one of its officers (the treasurer, largely by the fee system) a yearly salary of $6,500, with an additional allowance for office expenses of more than $6,000, is allowing only $2,000 to support the four health workers.

This bulletin was attempting to give that publicity which is so needed in regard to the actions of the county board and other agencies, especially in matters of finance. In this case, plans for the levy were made in March, although it had been customary to do so in April. After apportionments were completed and in progress, the supervisors accepted, from a private individual, a loan of $15,000, to meet an emergency call for the re-building of a condemned bridge. A similar offer for the maintenance of the health unit, however, was rejected. Here, beside the obviously popular plea of "cutting expense," it was charged that one member desired to install a doctor friend, who had previously delayed urgent requests from the local board of public welfare to inspect some serious hygienic troubles in the jail, and who gave promise of being sufficiently laissez-faire. At the May board meeting, this doctor appeared, and generously offered to undertake the work on a fourth-time basis, for the moderate sum of $12,000, "the balance of the appropriation to constitute a reserve fund to be drawn upon in case of emergency." Opposition to this appointment from doctors and other friends of preventive medicine caused the board to postpone the matter until June, ostensibly to hear from one of the public health nurses, whose excellent qualifications for continuing the work were already known, but whose retention was urged as an alternative to the employment of the doctor on part time.

In the meantime, it was pointed out as a new idea, that the supervisors controlled only the appropriation, and not the appointment, and that the latter was made by the local board of health. The state board was appealed to, and funds were made available to maintain for a year the existing unit, with a new head. The doctor desired by some of the supervisors was not installed. This is a case in which lack of authority in the hands of the supervisors saved the day temporarily, but a settled basis for this county department was delayed from April until September, and then was assured for one year only.

It is a legal provision of long standing that the supervisors shall make a semi-annual report of receipts and expenditures, under a specified classification. This is to be posted at the court house, at each polling place, and to be published twice in successive weeks in the county paper. In addition, the treasurer is required to keep his books, papers, accounts, and records of warrants drawn, at all times ready for the inspection of the supervisors, commonwealth attorney, or any taxpayer. In actual practice, country polling places, and the court house itself, are frequently not visited by citizens, except at elections or at special times. The prescribed classification of accounts is adhered to in a very sketchy fashion; it is most difficult to get an adequate view of the treasurer's books in many counties; and they are sometimes kept in such manner that it is practically impossible to decipher their meanings. All this, despite the unvarying courtesy of the officers themselves, makes information unavailable. An editorial in one county paper well sets forth the case:

> The newspaper reports of accounts of supervisors contain a heterogeneous collection of dates, names, and amounts that defy classification. To get the whole report it is necessary to clip from time to time, file away carefully, and finally assemble all the parts for study, a tax upon attention that the average citizen is not equal to.

And even then, be it added, the result gives only income and outgo of county moneys, and a real appraisal of the whole condition of the county, including assets and outstanding liabilities, is never obtainable.

GOVERNOR PROPOSES THE MANAGER PLAN

Lack of financial control; and decentralized county administration, has led to advocacy of the manager plan. In his message to the general assembly of 1922, the governor said:

> I believe that the general assembly can well afford to direct their attention toward the study of a county management plan, under the care of a county manager, with the assistance and advice of the board of supervisors.

No formal action was taken in this matter, but some study was made by the Commission on Simplification of State and Local Government. Any manager now installed would be merely superimposed upon the present system, and could not be wholly effective. However, this was the line of advance that initiated the system in cities. One enterprising county, indeed, did inaugurate a "county manager." His title was challenged as "unconstitutional." His main jurisdiction, however, is over roads, he reports to the state highway commission, and in reality occupies that position elsewhere known as county engineer, or highway superintendent.

Thus, with officials separately elected, and local boards responsible to state boards in large measure, little can be done to install in the county an orderly scheme of administrative management, such as we understand in the city. The most practical immediate improvement which can be undertaken, which will benefit alike citizens, county boards, and other officials, is a continuation of the movement toward intelligent and intelligible budgeting. Here a uniform system could result from state auditing, just as uniform accounting is recommended and is being accepted. Thus, also, parallel information will become available.

In county, as in state, such a movement must go hand in hand with an increase in operating control, and, to secure this, reorganization of the decentralized administrative machinery must be undertaken. The movement for making more fully and more easily available, through state boards, comparative knowledge upon all phases of county life must proceed. Better legal safeguards must be provided for contracting, purchasing, deposit, and borrowing. Fuller responsibility of supervisors over purely local legislation must be encouraged to the end that the general assembly may be relieved of much of the burden of local bills. Publicity will protect officials, and will aid in securing that most important asset of all, a citizenship intelligently and actively interested in public affairs. In the end, progress can be made only by convincing both citizens and officials that any suggested changes will afford actual assistance in the solution of their problems.

MUNICIPAL HOME RULE IN NEW YORK

BY LAURENCE ARNOLD TANZER

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The author, who has played a prominent part in the struggle for home rule in New York, explains how the system there differs from other states and shows what it is accomplishing. :: :: ::

THE adoption in November, 1923, of the home rule constitutional amendment, followed by the enactment of the city home rule law of 1924, marks the culmination of a twelve years' campaign for municipal home rule. The antecedents of the movement and its early stages were described in an article in the NATIONAL MUNICIPAL REVIEW for October, 1913.[1] The long standing dissatisfaction with legislative interference in municipal affairs; the failure of the constitution of 1894 to provide an effective remedy; the growth of the evil of special legislation regulating municipal affairs; and the formation of state-wide organizations to combat it through a comprehensive legislative program, were there detailed and need not be dwelt on further here.

MINOR PROGRESS IN PAST YEARS

Two of the measures on the legislative program of the Municipal Government Association were enacted with little delay,—the Municipal Empowering Act (Laws of 1913, Ch. 247) and the Optional City Government Law (Laws of 1914, Ch. 444). The former granted a long list of enumerated powers and thus made it unnecessary for every city to apply to the legislature for a special act whenever it desired to exercise some municipal power not specified in its charter. The latter authorized the people of any city of the second or third class (*i.e.*, any city other than New York, Buffalo or Rochester) to adopt, in place of its existing charter form of government, any one of six forms of government enumerated in the act. Each of these laws represented a step forward, but neither of them went far in the direction of municipal home rule; and neither has been much availed of. The powers granted to cities by the municipal empowering act must, by the terms of that act, be exercised within the framework of the existing charter of the city, and any change in the charter would still require action by the legislature. No power was granted to cities to amend their charters, excepting as authorized by the optional city government law. A city could come under that law only by making a complete change in its form of government; and if it decided to do so, the framework of government, provided in outline in the statute, would have to be filled in by ordinance by the local legislative body. Several cities did, shortly after the enactment of the law, vote to adopt the city manager form of government, which was one of the optional forms of charter made available by the act. The movement was temporarily halted by litigation attacking the law as an unconstitutional delegation of legislative power. The attack was successful in the lower courts; but their decision was reversed by the court of appeals in a unanimous decision sustaining the law, with an opinion upholding in broad terms the power of the legislature to grant to cities power over their local affairs (*Cleveland* vs. *City of Watertown*, 222 N. Y. 159). In the meantime, however, the ardor of the reformers had cooled; application to the legislature for confirmatory and supplementary legislation in forms grown familiar with usage seemed the path of least resistance as compared with the novelty and uncertainty of local action; and new charters were obtained from the legislature for the cities referred to.

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[1] "Legislative Interference in Municipal Affairs and the Home Rule Program in New York," by Laurence Arnold Tanzer, Volume II, p. 597.

The ineffectiveness in practice of these laws points the moral, that regulation of municipal affairs by special act of the legislature was bound to continue so long as it continued easier for those desiring a special act, whether within or without the city affected, to obtain its enactment from an uninformed or irresponsible legislature than to effect the desired change by local action. It became increasingly evident that an amendment to the constitution of the state would be required, to insure to cities a substantial degree of power over their own affairs and establish some restriction on the power of the legislature to interfere in local affairs.

PASSAGE OF THE AMENDMENT

The home rule constitutional amendment was a part of the original program of the Municipal Government Association, announced in 1912. It was advocated by the Conference of Mayors and Other City Officials and was actively pressed for adoption by the New York State Association, which succeeded the Municipal Government Association, and by the Citizens' Union, the City Club of New York, and other civic bodies.

The amendment as first introduced differed substantially from the amendment as finally passed. In its original form, it empowered cities to adopt local laws relating to their local affairs and property, which would supersede inconsistent provisions of acts of the legislature not applying uniformly to all cities. While the legislature was directed to provide the machinery for putting into operation the powers thus granted, the powers granted to cities would be derived from the express grant in the constitution itself, which likewise provided for submitting to referendum the manner of drafting local laws, whether by commission or by convention, as well as the proposed laws themselves. In order to guard against legislative interference with the powers granted, the legislature was prohibited from passing any law relating to the property, affairs or government of cities, except by adopting uniform laws applying alike to all cities.

The amendment was introduced at the 1914 session of the legislature. It passed the assembly and narrowly failed of passage by the senate.

In the following year, the problem of municipal home rule occupied a large share of the attention of the constitutional convention. The convention had before it the proposal of the Municipal Government Association and a number of other proposals for dealing with the subject. The committee on cities, of which the late Seth Low was chairman, held a number of hearings and recommended a constitutional grant of home rule power to cities. After lengthy debate on the floor of the convention, such a grant was adopted as part of the proposed new constitution submitted to the people by the convention.

The article on cities, as adopted by the convention, conferred upon every city exclusive power to manage, regulate and control its property, affairs and municipal government, including power to revise and amend its own charter. The power was subject to the constitution and general laws of the state, and subject also to uniform city laws, and changes in the framework of the city government or modifying restrictions as to issuing bonds or contracting debts, would require the approval of the legislature; but the legislature was prohibited from itself passing any law relating to the property, affairs or municipal government of any city, except uniform city laws.

The proposed constitution of 1915 met with great opposition from many quarters, largely on political grounds, and was rejected at the polls. Its defeat carried with it the failure, or at least postponement, of several necessary reforms included in the draft, not the least of them being municipal home rule. The advocates of that reform did not, however, permit themselves to be discouraged; but they presented to the very next session of the legislature, in 1916, a modified home rule proposal, in substantially the form finally adopted. The most important departure from the original form of the amendment consisted in abandoning any attempt either to designate a field of legislation over which cities should have exclusive power, or to prescribe the manner of exercising the powers granted, in favor of a grant of power in general terms, leaving the manner of exercising the power for the legislature to determine. In making this important change, the advocates of home rule took into consideration the fact that the interests of the state and of the cities were so intertwined as to make it difficult and dangerous, if not impossible, to mark out by constitutional provision a rigid line of demarcation between the sphere of action of the city and that of the state. They believed that the conflict, uncertainty and litigation which had resulted from similar attempts in other states might be avoided by leaving the powers of cities flexible and subject to control by general legislation. Inasmuch as the greatest practical evil connected with legislative control over municipal affairs was to be found in the mass of special laws relating to the purely local affairs of particular cities, it was felt that the powers granted to cities could be sufficiently safeguarded by some restriction on the power of the legislature to pass such special laws. Accordingly, there was retained in the proposed amendment the prohibition of special legislation already referred to.

The amendment, in revised form, was before every session of the legislature from 1916 on. It was several times passed by one house or the other of the legislature, but did not succeed in passing both houses of the legislature until 1922. It was passed for the second time in 1923, and ratified by an overwhelming popular majority at the election in November, 1923.

THE TERMS OF THE AMENDMENT

The amendment grants to every city power to adopt and amend local laws not inconsistent with the constitution and laws of the state relating to the powers, duties, qualifications, number, mode of selection and removal, terms of office and compensation of all officers and employees of the city, the transaction of its business, the incurring of its obligations, the presentation, ascertainment and discharge of claims against it, the acquisition, care, management and use of its streets and property, the wages or salaries, the hours of work or labor, and the protection, welfare and safety of persons employed by any contractor or subcontractor performing work, labor or services for it, and the government and regulation of the conduct of its inhabitants and the protection of their property, safety and health.

The terms and conditions of the grant were left to the legislature, which was directed at its next session to provide by general law for carrying it into effect. But the provision did not stop at merely directing the legislature to grant home rule powers to cities. It contained a restriction on the power of the legislature which was calculated to compel such action. That restriction was of a limited character affecting the power of the legislature only with respect to legislation relating to the property, affairs or government of cities. As to such matters the legislature was thereafter prohibited from passing any law which did not in terms and in effect apply alike to all cities except on a message from the governor declaring that an emergency exists and the concurrent action of two-thirds of the members of each house of the legislature. As to all matters other than the property, affairs or government of cities, the legislature was left free to act by general or special law as it saw fit. Even as to matters relating to the property, affairs or government of cities it could still pass special laws on the certificate of the governor that an emergency existed and by a two-thirds vote in each house. No power of the legislature is taken away. The only restriction is that in the absence of an emergency message and a two-thirds vote, legislation relating to the property, affairs or government of cities must be uniform for all cities,—uniform for *all* cities, not merely for cities of a class: the classification of cities had been found unsatisfactory and was abolished.

THE AMENDMENT AS A BULWARK AGAINST SPECIAL LEGISLATION

The New York amendment seeks to avoid the dangers shown by experience to exist in connection with former home rule measures. It avoids the conflict of jurisdiction, the uncertainty and the litigation which have resulted from self-executing constitutional grants of home rule, by leaving to the legislature the definition and application of home rule powers, subject to amendment and clarification as the need therefor may from time to time appear. It avoids the rigidity and consequent evasion which have marked constitutional prohibitions of special legislation in other states by providing that each city shall be granted power to make special provision for its own local needs subject in all cases to laws passed by the legislature, and by leaving in the legislature full power to deal with municipal affairs by general law, or, in an emergency, by special law, and to deal with all matters other than the property, affairs or government of cities by any form of law, general or special.

The amendment attacks the problem of local self-government by seeking to eliminate what has proven to be the chief practical evil,—special legislation by the legislature regarding strictly municipal affairs. It seeks to remove this evil, first by establishing and declaring in the constitution the principle that cities shall have the right of local self-government; second, by providing for a legislative grant to cities of the power of making their own charters and regulating their own affairs, thus removing much of the incentive for special legislation by the legislature; and third, by making it difficult for the legislature to enact special laws on matters of purely local concern without altogether taking the power away from the legislature.

The restrictions on the power of the legislature, while conservative and limited, proved sufficient to compel obedience to the constitutional command to the legislature. It was soon discovered that no city could obtain an amendment to its charter from the legislature without an emergency message from the governor and a two-thirds vote in each house of the legislature. Governor Smith, a staunch advocate of home rule, declared that he would not grant any emergency messages except in cases of real necessity. The cities of the state were made to realize that their only relief lay in the enactment of a home rule law, and a united effort to procure such a law was made and met with success. A commission was appointed to frame a home rule law; its draft of a law was submitted to public discussion and criticism, and after several hearings and after being several times amended was enacted into law at the 1924 session of the legislature (City Home Rule Law, Laws of 1924, Chapter 363).

THE ENABLING ACT

The city home rule law as enacted grants to the local legislative body of every city the power to adopt and amend local laws in relation to the matters enumerated in the constitution and already referred to. Such laws may either take the form of a new charter for the city or they may be merely amendments or supplements to the existing charter. A public hearing is required before the enactment of any such law. A local law must be submitted to referendum vote of the people of the city if it makes substantial changes in the local legislative body, changes the veto power of the mayor or the law of succession to the mayoralty, abolishes an elective office or changes the method of removing an elective officer or changes the term of or reduces the salary of an elective officer during the term of his office, abolishes, transfers or curtails any power of an elective city officer except for the purpose of transferring the powers or duties of one branch of the legislative body to the other or to some other local authority, creates a new elective office, changes a provision of law relating to public utility franchises or to the alienation or leasing of city property or relating to the membership or terms of office of the civil service commission of the city, reduces the salary of a city officer or employee which has been fixed by a state statute and approved by referendum vote, or which provides a new charter for the city. A local law cannot take effect until at least sixty days after its adoption and must be submitted to referendum vote if a petition of protest signed by 15 per cent of the voters at the last gubernatorial election is filed within such sixty days, if such local law dispenses with a provision of law requiring a public notice or hearing as a condition precedent to official action, changes a provision of law relating to public bidding, purchases or contracts, or relating to assessments for taxation or special assessments of property for improvements or the exercise of the power of condemnation, or relating to the authorization or issuance of city bonds or other obligations, or relating to the auditing of the city's accounts, or relating to the maintenance or administration of a pension fund or retirement system in connection with the police or fire department of the city. A new charter may be adopted either in the manner described by action of the local legislative body, subject to referendum vote, or the local legislative body may submit to referendum vote the question whether a commission shall be appointed to draft a new city charter and in the event of an affirmative vote provide for the election of such a commission to prepare a charter, which in turn is submitted to referendum vote.

All local laws are subject to all acts of the legislature relating to matters other than the property, affairs or government of cities, whether general or special; in this respect municipal action is subject to state legislation just as fully as are municipal ordinances today. All local laws are likewise subject to acts of the legislature relating to the property, affairs or government of cities which, in terms and in effect, apply alike to all cities. Acts of the legislature relating to the property, affairs or government of cities which do not apply uniformly to all cities are superseded by inconsistent provisions of local laws adopted pursuant to the statute, provided the local law specifies the particular provisions of the act or acts of the legislature so to be superseded. A local law cannot, however, in any case supersede an act of the legislature if such local law removes or raises any limitation of law on the amount by which the city may become indebted or on the amount which the city may raise by tax for city purposes, removes restrictions of law as to issuing bonds or other evidences of debt, applies to the administration of the educational system of the city or a teacher's pension or retirement system therein, changes the number or term of office of the members of the county board of supervisors chosen in the city, applies to or affects any provision in the city of the labor law or the workmen's compensation law, changes any provision of the tenement house law, applies to or affects existing power of the state comptroller over municipal accounts or prescribing forms of municipal accounting, applies to or affects any provision of law providing for regulation or elimination of railroad crossings at grade or terminal facilities within the city, or applies to or affects any provision of law relating to the property, affairs or government of a county or counties.

The city home rule law thus grants to every city in the state powers of local self-government, safeguarded by requirements for public hearing and popular approval in case of vital changes and subject to the power of the legislature to make such changes in the act itself as experience may prove to be desirable, and subject also to the general power of the legislature to legislate specifically with respect to cities as well as for the state at large. At the same time the power granted to cities is protected against legislative interference by special and local laws except in emergencies.

SOME ADVANTAGES HAVE BEEN REAPED ALREADY

The city home rule law was prepared under some pressure, because of the brief space of time available between the appointment of the commission and the close of the legislative session of 1924. The act, as well as the amendment itself, has been the subject of some criticism, largely verbal, and proceeding in part from that fear of any change which, if unduly heeded, would prevent all progress. Undoubtedly defects will develop and further legislation will be found necessary. The commission has been continued. One of its principal tasks will be to examine the existing laws relating to cities with a view to re-enacting, as uniform city laws, such of them as provide salutary restrictions on the powers of cities, but which, because now applying only to one or more cities, but not to all, could otherwise be superseded by local laws. Some form of initiative by the voters of a city to compel a vote on the question of revision of the city's charter would also seem desirable. Under the law as it stands at present, revision can be initiated only by the local legislative body.

The amendment and the city home rule law have been in effect for too short a time to admit of a final judgment as to their value. They have, however, already borne fruit in the greatly diminished number of laws relating to particular cities introduced and passed at the 1924 session of the legislature. The existence of the power in cities to amend their own charters, thus removing in large part the incentive to apply to the legislature, bids fair to have a greater effect in avoiding the evils of special legislation than any express restriction on the powers of the legislature.

The power of local legislation granted to cities has already been exercised in a number of cases. As illustrations of the practical advantages of permitting cities to adopt specific amendments to their charters, without requiring either an application to the legislature or a complete revision of the entire charter, the following instances which have occurred in the few months since the enactment of the city home rule law may be of interest.

A quarrel of long standing between the comptroller of the City of New York and the mayor led to a controversy between the comptroller and the commissioner of accounts, appointed by the mayor, as to the power of the commissioner of accounts to compel, by subpoena, the furnishing of information by the comptroller. The comptroller sought to cut the gordian knot by obtaining an act of the legislature taking away from the commissioner of accounts his power of subpoena. The constitutional amendment would have prevented the passage of a special law to that effect. It was a general law, however, the civil practice act, which gave the power of subpoena to officers authorized by law to take testimony, including the commissioner of accounts. The comptroller procured the enactment of an amendment in general terms to this general law, whereby the power of subpoena could be exercised by a municipal officer only if he were the head of a department. As the office of commissioner of accounts was not included in the heads of departments as enumerated in the Greater New York charter, the amendment had the effect of depriving him of his power of subpoena. The mayor countered by securing the enactment by the municipal legislature under the city home rule law, of an amendment to the charter, whereby the commissioner of accounts was designated as the head of a department. This was obviously a matter of purely local concern, in which the intervention of the legislature should never have been sought. Before the enactment of the city home rule law, the change could have been made only by act of the legislature.

The mayor and police commissioner of New York have proposed, as a necessary reform, that the regulation of taxicabs in New York be taken out of the hands of the commissioner of licenses and placed under the jurisdiction of the police department, and have applied to the municipal legislature for the enactment of a local law to that effect. This is clearly a matter concerning which the local authorities are far better able to judge than is the state legislature; yet formerly the change could have been accomplished only by applying to the legislature for a special act.

One of the most troublesome subjects for legislative action in the past has been the fixing and changing by special act, of the salaries of city officers and employees. The cities are now beginning to take this purely local matter into their own hands by the adoption of local laws.

Thus, the brief period since the adoption of the constitutional amendment has already sufficed to show the benefits resulting from the increased power of cities over their own affairs, and from the diminution of legislative interference, and the greater freedom of the legislature to give attention to important subjects of legislation, unhampered by constant demands for local legislation, with the incidental log-rolling. As the people and the officials of cities grow used to dealing locally with local affairs, and the practice of applying to the legislature is gradually abandoned in favor of resort to the local authorities, the advantages of home rule should become increasingly apparent. The method of conferring home rule, somewhat new in form, but based upon the experience of other jurisdictions and adopted after years of study and discussion, which is embodied in the constitutional amendment and the city home rule law, is sufficiently flexible to admit readily of amendment and supplementary legislation to remedy such defects as may be disclosed by further experience.

The constitutional amendment and the city home rule law have, without undue impairment of the powers or functions of the legislature, but, on the contrary, with an increase in its dignity and effectiveness resulting from the elimination of petty local legislation, conferred upon the cities of the state a substantially increased measure of control over their own affairs.

BOOKS AND PUBLICATIONS

Public Finance. By Harley Leist Lutz, Ph.D., New York: D. Appleton and Company, 1924, pp. xvi–681.

This is a valuable and a successful book. The task which Professor Lutz set for himself was to discuss the entire field of public finance within the limits of a moderate-sized volume. The developments of the last ten years have, of course, rendered obsolete the general treatises prepared before that date. Revolutionary changes have taken place and the financial problems faced by the country today are quite different from those of only a few years ago. Professor Lutz has taken the point of view of a citizen of the United States in the year 1924 and has examined the principles and practice of taxation and finance in relation to the problems which he must solve. It is possible by reading this single book to gain an intelligent notion of the character of the problems which face the community today and the possible methods of meeting them. The book is well written. It does not dodge or hedge. It is well-balanced, sensible and trustworthy. It is greatly commended as being the best available introduction to this interesting and highly important subject.

It was, of course, to be expected that a book written by Professor Lutz would be worthy of the high praise given in the preceding paragraph. Students of taxation are already familiar with his excellent book on the *State Tax Commission*. They are aware of his activity over a period of years as editor of the Bulletin of the National Tax Association, and of his connection with special investigating commissions in Ohio and other states. The background afforded by these experiences has given him a point of view which makes his book of particular value to the practical taxation administrator. The problems which he discusses are the problems encountered by the state tax commissioner, the city assessor, the state legislator, the city manager or council member. By referring to this book it is possible for such persons to see their particular problem as a part of the general problem, to grasp more clearly points of theory and principle involved and to learn many of the lessons which the experience of others may teach.

Although the scope of the book is perhaps adequately described when it is stated that it is comprehensive, attention should be particularly called to the satisfactory discussion of Public Expenditures (Part II), Public Credit (Part V) and Financial Administration and Legislation (Part VI). In these fields it has in the past been difficult to secure a satisfactory discussion in brief form and these chapters will be read by many with gratitude.

To write a book which has the appeal of this volume it was doubtless necessary that the author commit himself definitely on a large number of controversial matters. To have avoided controversy entirely would have resulted in a lifeless monograph. It is a matter of great interest to the reader to know what are the opinions of a well-informed and intelligent student of the tax problem like Professor Lutz, and those who find themselves in disagreement with him have no real basis for a quarrel because he is careful to make it clear in almost every case as to whether he is merely expressing a personal opinion or is summarizing the consensus of the judgment of students in general. Thus the reviewer's enthusiasm for the book is not appreciably dampened by the fact that his personal views with regard to a number of controversial points do not coincide with those of the author. For example, his condemnation of the excess profits tax as being "especially incongruous alongside of the steeply graduated taxes in individual incomes" seems unduly severe (p. 444). His failure to wax indignant because of the inadequate scope of the new version of Section 5219 is a disappointment (p. 399). His position with respect to the taxation of capital gains (p. 453) leaves much to be desired. His failure to grasp the significance of the New York proposal with respect to taxes of regulated public utilities is difficult to understand (p. 395) and his position in favor of the withdrawal by the Federal government of inheritance taxation (p. 485) seems to the writer unwise.

But as has been stated above, Professor Lutz, like a good sportsman, almost always gives a full and fair statement of the point in controversy, and, if one occasionally disagrees, he does so respectfully and amiably. The reviewer has used the book as a text in classes on taxation and has found it satisfactory. He believes that it will be equally satisfactory to any student of public affairs who has sufficient interest in financial problems to read any book at all in this field.

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The Government of Kentucky—Report of the Efficiency Commission. 2 volumes, pp. 1376. (Printer to the Commonwealth of Frankfort, Kentucky.)

These two volumes contain more information about the activities and processes of a given state government observed at a particular time than has heretofore been published. Not only do they present the problems of administrative organization, financial procedure, the budget, and personnel but also, for the first time in a survey of this character, they include reports upon the legislative branch, the judiciary and the county governments. Kentucky may now be listed with the other state governments, twenty odd in number, which have been questioning their methods of operation. It, too, has taken a preliminary inventory of methods and relationships and marked the trends and tendencies which have their roots in the past but which may not be applicable to the present. By means of this report to the governor and the general assembly, the efficiency commission of the commonwealth has submitted the findings based upon frankness of self-criticism and made recommendations to secure a more effective performance of the governmental services.

The report is divided into seven parts, each of which analyzes a major phase of the general problem of government as viewed from the standpoint of operation. Part I, 218 pages, is devoted to *financial administration* and covers descriptively and critically the organization and activities of the financial departments, treasury operation, borrowing policy, budget and appropriation procedure, audit and pre-audit, accounting, and purchasing. Part II, 121 pages, concerns *revenue and taxation* with the story of the general property tax, proposals for improvement, with emphasis upon subjects of reporting, personnel, taxation of coal lands, the need for surveys, assessment of railroad property, automobiles, bank shares, gasoline, inheritances, oil, incomes, corporations, and race tracks. Part III, 49 pages, is a report upon *the administrative structure*, giving rise to the problem of consolidating the seventy-one separate units into the few major departments to obtain greater "simplicity and effectiveness and better coordination and control." Here also is a welcomed brief and concise statement of the *personnel problem* listing requirements for central employment administration.

The section on the *General Assembly*, part IV, 25 pages, gives a comparatively brief statement of "properly disposing of a vast amount of proposed legislation and of formulating wise laws" with comments upon the committee system, legislative bill drafting, regulation of the lobby, and the single chamber. Part V, 106 pages, upon the *administration of justice*, has this statement in the foreword: "This report is intended to be read, not by lawyers only, but by all citizens who are in any way interested in the subject. There has been a disposition to leave all consideration of the courts to the Bar. The efficiency commission, however, takes the position that this is neither necessary nor desirable. The judicial system is no more technical than many other departments of state government." This section of the report contains a study of the structure of the courts, jurisdiction, appeals, the State Bar Association, and the desirability for unification of the judiciary systems.

Part VI, upon *county government in Kentucky*, presents "a general picture of the county government structure and functions, takes up the work of each county office in detail, and devotes special attention to the problems of reorganization and of providing a sound basis for compensating county employees for their services." Part VII, which constitutes the entire second volume of 706 pages, describes in great detail the activities and organization of each of the administrative units of the government and contains recommendations for changes in method, process and structure.

The reviewer recognizes an important and far reaching study conducted by trained specialists who have had wide experience in analyzing the same problems as applied to other governments. These specialists have approached their respective problems through the survey method usually employed. One would hesitate, in a short space, to criticise specifically the recommendations for improvement. It is not certain, however, that reports of this kind, while excellent in detail and covering a wide variety of subjects, always serve to reach by the best route the desired end in view which, in this instance, is the complete reorganization of the governmental administrative structure. Details, when multiplied by the hundreds and thousands, often confuse in the aggregate. They may cloud clear thinking upon the basic and general fundamentals. This report, for instance, is pointed at the legislators and the voters who alone have power of change. It is possible that a briefer and more condensed report might serve the purpose better. Brevity has a telling effect and often impels action.

But this is aside from the point. It is certain that if the report were condensed into a few pages, students of government would be deprived of two valuable volumes which contain a wealth of information about the government of Kentucky in particular and administrative processes in general.

The directing staff which assisted the efficiency commission included members and consultants of Griffenhagen and Associates, Ltd., Management Engineers and Accountants, with Mr. E. O. Griffenhagen director. Hugh J. J. Reber reported on financial administration, R. O. Beckman on institutions, and H. S. Gilbertson on county government. The special counselors were Jacob Viner on taxation; Herbert Harley on judiciary; E. M. Freeland on accounts; Fred Telford on civil service; P. W. Reeves on education, and George W. Tillson on roads.

Morris B. Lambie.

University of Minnesota.

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Federalism in North America. By Herbert Arthur Smith. Boston: Chipman Law Publishing Company, 1923.

This is a comparative study of the political principles which underlie the two great federations on the North American continent. We in the United States are just beginning to appreciate the profit to be gained from a comparison of our constitutional practice with that of Canada. The two nations have so much in common, economically and socially, that each becomes a valuable political testing laboratory for the other. Because we are so much alike a study of our differences always yields dividends.

Professor Smith's comparisons are not always flattering to the United States. In company with many domestic critics, he condemns common American excrescences such as the long ballot and popular election of judges. The office of president of the United States, he tells us, is now the only real monarchy of first class importance in the civilized world. Only here is the chief executive power vested, by law and tradition, in the person of one man. The executive power in Canada resides in a cabinet which corresponds to a board of directors in which the prime minister acts as chairman. The executive power in Canada is therefore lodged in officials who are selected by indirect election, somewhat similar to the plan devised for the election of our president. The author realizes that under Lloyd George the British prime minister tended to be a kind of president, but as yet no such tendency has been revealed in Canada. Executive responsibility is strictly enforced in both the Dominion and provincial governments, and upon this principle the people rely for security rather than upon frequent elections, as in the United States.

In view of the policy of aggrandizement which our federal government has been following to the dismay of those who cherish "state rights," it is interesting to know that the Canadian federation is more "unitary" than ours. In Canada the central government may disallow any act of a provincial parliament, provided it is done within twelve months after passage. Excluding certain concessions made to the Civil Law in Quebec, there is but one law for Canada. Of course there are provincial statutes but the great body of the law applies throughout the Dominion and is enforced by provincial and dominion courts alike. The consequence is uniformity which enables one to speak of Canadian law, whereas in the United States there is no such thing as American law, except in the restricted sphere in which the federal courts move. There is Massachusetts law and Pennsylvania law, but there is no "American law." When we witness the efforts to secure uniform legislation in forty-eight states on important subjects where uniformity is desirable, and when we see the smooth working of Canadian law throughout the Dominion, we are apt to confess that the drift towards federal centralization is both logical and natural.

To the present reviewer, the most interesting part of the book is the chapter on external relations. The British Empire is in a stage of rapid evolution and Canada is asserting her claim to an independent judgment in foreign relations. Already she negotiates her own commercial agreements and has been conceded the right to independent representation at Washington. Before the war it was admitted on all sides that the last word lay with the cabinet in London. Now, says Professor Smith, it would appear from the precedent set in signing the Treaty of 1919 that the king cannot sign a treaty affecting Canada except on advice of the Canadian Government.

Canada has become a nation, and solemn and sweeping questions have been raised thereby.

H. W. D.

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THE BUDGET OF THE COMMONWEALTH OF PENNSYLVANIA FOR THE BIENNIUM, 1925–1927. By Clyde L. King, Secretary of the Commonwealth.

This budget and the accompanying letter of Governor Pinchot reveal an amazing record of successful financial management during the first two years of the present administration. The state's "inherited debt" amounted in 1923 in round figures to $30,500,000, of which $28,300,000 will have been paid by June 1, 1925, and the remainder shortly thereafter. When it is remembered that this debt had been piling up for fifteen years, and that the estimates of revenue for the biennium prepared by the auditor general turned out to have been too optimistic by about $7,000,000, the achievement looms all the greater. The deficiency appropriation tells the same story in another way; in 1921 the legislature was obliged to appropriate deficiency bills amounting to $7,000,000, and in 1923 $5,800,000, while the present budget asks only for $177,000 which is covered about eight times by money appropriated which will lapse into the treasury. Thus has been achieved Governor Pinchot's pledge "to return to the healthy basis of pay-as-you-go at the earliest possible moment."

The budget itself as a financial document is of great interest to students of budget making, for it contains a number of significant innovations. Of these one of the most interesting is the use of charts and diagrams to present graphically the meaning of the figures. Thus the curve of expenditures by months for the biennium 1921–1923, the curve of estimated expenditures for 1923–1925, and the curve of actual expenditures for 1923–1925 (to May 31) has been plotted for each important department. These graphs show up the careful estimating of the first budget, and reveal also some interesting cases of seasonal expenditures. Helpful charts of organization are also included. Corrective and remedial legislation is inserted in connection with the estimates of each department. The detail budget shows for each department the number, title, and salary of each employee, and in connection with each department there is a summary by accounting heads. These aids to comprehension will be greatly appreciated by all who have occasion to refer to the document.

An interesting evolution is taking place in the form of our state budgets, tending toward clarification and compression. In many ways the fourth Illinois budget, which has also recently appeared, makes an interesting parallel with the Pennsylvania budget. In size it is about one half as large, although containing about the same material. In choice of type it is somewhat more fortunate and in its summary it is distinctly superior. It lacks however the graphic presentation and the organization charts of the Pennsylvania budget. The information contained in the detail budget is about the same. A useful survey might properly be made indicating to what extent there is variation in form, what is now the best practice, and to what degree it might be possible to secure uniformity.

LEONARD D. WHITE.

University of Chicago.

REPORTS AND PAMPHLETS

Michigan State Government.—A recent number of *Public Business*, published by the Detroit Bureau of Governmental Research, is devoted to the constitutional convention proposed for Michigan in 1927. The pamphlet was prepared by Professor Thomas H. Reed and contains a great deal of information regarding recent efforts to amend the constitutions of other states. In accordance with a mandate embodied in the present state constitution, the people of Michigan will vote in 1926 upon the question of holding a convention.

Another report by Professor Reed, also published in *Public Business*, deals with the organization of state government in Michigan under the reorganization effected in 1921. The author states that, while this reorganization materially reduced the confusion of authority, it represents a good work well begun but unfinished. Of particular interest is the appraisal of the newly created administrative board, which is termed "a powerful organ of centralized control." This board is composed of the governor, secretary of state, auditor general, treasurer, attorney general, highway commissioner and superintendent of public instruction. Professor Reed believes that the present arrangement should be changed to allow the governor to appoint at least a majority of the board, since it contains serious possibilities of conflict which would lead to administrative paralysis. Thus far however the board has been dominated by the governor and has raised the general level of efficiency in the administrative departments.

✣

Zoning Practice in the New York Region is the title of a pamphlet by Edward M. Bassett, published by the Regional Plan of New York and Its Environs. Part I sets forth some aids to the practice of zoning; Part II discusses the application of zoning in New York city; and Part III gives a form of state enabling act particularly adapted to New York, New Jersey, and Connecticut.

Mr. Bassett believes that the absence of any density of population regulations is the greatest shortcoming in the New York city zoning plan. Until the courts take a more liberal view towards the one-family and the two-family house districts, chief reliance, he believes, must be placed upon area regulations in respect to density and upon height restrictions. "Regulation of the number of families," he says, "by different districts on the area map is an entirely different thing from placing one-family detached house districts on the use map." In the latter case there is no relation to light and air requirements; in the former there is.

Mr. Bassett's work for zoning is especially valuable because he is diligent to see that care be taken not to include in zoning ordinances provisions which in the present state of the law would be deemed confiscatory. Thus we may avoid a line of adverse precedents which it would take many years to overcome.

✣

The Financing of Higher Education in Colorado.—This report, prepared by Dr. Don C. Sowers, is a companion piece to his earlier study on the financing of common school education in Colorado. It should prove a valuable source of information to legislators and others who have to decide how much the state can afford for this essential work. It shows that Colorado has been spending increasing amounts in the cause of higher education, but that she is outranked in both educational achievement and per capita expenditure by several of her western neighbors who have less wealth. The burden of higher education is said to rest too heavily upon the owners of tangible property, and Dr. Sowers suggests the applicability of other forms of taxation, such as the income tax, severance taxes and corporation taxes. The present millage tax is held to be admirable as far as it goes, because it gives the institutions a definite basis upon which to plan from year to year; but it is not just to depend upon it alone to support the growing educational needs of the state. Other forms of taxation must be employed, if the burden is to be distributed in accordance with ability to pay.

✣

Operation of Cleveland Municipal Markets.—In this report, prepared by the Municipal Research Bureau of Cleveland, is presented an accurate picture of conditions attending the operation of municipal markets in that city. Recognizing that the two basic requirements of municipal market operation are, first, to provide sanitary conditions for the display and sale of food stuffs; and second, the operation of these facilities on a self sustaining basis, particular attention is given to these matters in the report. The present financial policy governing market operation, which has resulted in an annual deficit, is clearly analyzed and specific recommendations are made outlining the requirements of sound policy. The presentation of both the findings and the recommendations is moderate in tone and consistent with sound practice. In publishing this report the Municipal Research Bureau of Cleveland has conferred a real service on the community of which it is a part.

W. A. B.

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Records of Property Belonging to the State of Washington.—Director L. D. McArdle of the department of efficiency of the state of Washington has prepared two very interesting reports. One contains a complete record of the operating real property belonging to the state government on June 30, 1924; the other contains a similar record of all state park sites owned by the state government on September 30, 1924. These reports show when each parcel of property was acquired by the state, the monetary consideration, where the deed is recorded, the metes and bounds of the parcel, and in most instances a map of the plat. Many state governments would profit by having similar records made of their properties. In some states it is almost impossible to list the property belonging to the state government because of the haphazard manner in which the records have been kept over a great many years.

A. E. B.

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The Voting Machine—Its History, Use and Advantages.—This is the title of an eighty page pamphlet issued by the Political Research Bureau of the Republican County Committee of New York. It was prepared by T. David Zuckerman, director. The report advocates in strong terms the adoption of the voting machines and is the most comprehensive study of the subject in print. It describes the attempts to install voting machines in New York City which to date have been frustrated by the opposition of the Democratic administration. The report then traces the history of invention and development of the modern machines, describes the extent of use and advantages over paper ballots, and analyzes the objections raised by opponents. Copies may be secured from the office of the committee, 150 Nassau Street, New York City.

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Proceedings of Assembly of Civil Service Commission.—The proceedings of the 17th annual meeting of the Assembly of Civil Service Commissions held last year in Detroit contain an unusually large number of interesting papers touching upon personnel problems in both public and private employment. Among others is a paper by Fred Telford on developments during the past year; one by William Gorham Rice on the accomplishments of the Bureau of Public Personnel Administration and one by Dr. L. J. O'Rourke on research in examination methods. David J. Reese of the California State Civil Service Commission is president of the Assembly and Charles Shaughnessy is secretary-treasurer.

GOVERNMENTAL RESEARCH CONFERENCE NOTES

EDITED BY ARCH MANDEL

"Taxation for State Purposes in Pennsylvania, With Notes on Tax Laws in Other States" is the title of a report recently issued by the Pennsylvania State Chamber of Commerce at Harrisburg. This study was made by Dr. Leonard P. Fox, manager of the Chamber's research bureau, for consideration by the organization's special committee on state taxation. Dr. Fox was a member of Governor Sproul's Commission on Reorganization of State Government and of Governor Pinchot's Citizens Committee on Finances of the State of Pennsylvania.

The report contains introductory chapters on the high cost of government; separation of sources of state and local revenues; development of the Pennsylvania state tax system; and a summary of Pennsylvania tax laws. Other chapters analyze the advantages and disadvantages of existing or proposed state taxes in Pennsylvania on corporations generally, manufacturers, public utilities, banks, merchants, gasoline and automobiles, anthracite coal, inheritances, income and miscellaneous subjects. Under each head reference is made to similar tax levies in other states.

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New York Bureau Notes.—There are nine men in the training course organized by the National Institute of Public Administration. These men are preparing themselves to serve eventually as city managers, or to enter fields of government research. Five of these men are students of the School of Citizenship and Public Affairs of Syracuse University. They are in New York for a period of two months.

Bruce Smith, specialist in police administration of the New York Bureau, is putting the finishing touches on his survey of state police systems. In connection with this study he has served as a member of state police organizations in several states and has visited every important state police headquarters, including those of Texas, Colorado, Pennsylvania, New Jersey, Connecticut, Massachusetts, New York, and the Royal Canadian Mounted. The report of this study will be published in the near future with an introduction by Colonel Arthur Woods.

A. C. Fensel, working under the guidance of Philip H. Cornick, has completed a formula and chart by means of which the assessments of irregular lots may be computed on the basis of the Hoffman-Neill depth curve. This study will be published in the near future. Mr. Fensel was a student at the National Institute of Public Administration in 1924 and is serving as an assistant to the city manager of Ashtabula, Ohio.

Col. A. B. Cutter, a student at the National Institute of Public Administration in 1923, has been appointed city manager of Fort Myers, Fla. He has been in charge of important public improvements in Bluefield, W. Va. since leaving the Institute. He served as a member of the staff in the survey of Camden, N. J., in 1923.

Luther Gulick spoke at the mid-winter meeting of the New York Conference of Mayors and Village Executives on the subject, "New Sources of Municipal Revenue," and at the annual meeting of the Ohio Tax Association on the subject, "Balanced Budgets."

Wylie Kilpatrick, who has been working with the Institute on its study of local revenues for the New York State Legislative Committee on Taxation and Retrenchment, has accepted a position as instructor in the School of Citizenship and Public Affairs at Syracuse University.

The summer conference on the science of politics is to be held in New York under the joint auspices of the National Institute of Public Administration and Columbia University, September 7–11. Luther Gulick has been asked to take charge of a round table in municipal administration.

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The Committee on Public Economy of the Ohio Tax Association, of which R. E. Miles is chairman, submitted its report to the Association, embodying the following recommendations, which were adopted by the Association at its last annual meeting:

1. Further restrictions should be placed on the bond-issuing powers of political subdivisions of the state.
2. A balanced budget system should be made mandatory for all taxing districts, and

effective means provided for its enforcement.

3. The number of political subdivisions in the state should be greatly reduced.
4. There should be a reduction of election costs.
5. The state should assist in reducing the costs of school buildings.

Also included in the report were the following five tests, set up by H. G. McGee of Akron, considered essential, to be met by contemplated public improvements:

1. Assuming the proposed activity or service to be really needed, can it be performed more effectively and economically under governmental than under private management?
2. Can the community afford the expenditure, however desirable it may seem to be?
3. Is the proposed service or improvement worth the money?
4. Can a proposed improvement, if considered advisable, be obtained at a lower cost?
5. Is the proposed service or improvement more important than any other use for the same money?

Copies of this report may be obtained from R. E. Miles, 277 E. Long St., Columbus, Ohio.

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Annual Meeting.—The next annual meeting of the Governmental Research Conference will be held in conjunction with the National Municipal League in Pittsburgh on November 17, 18 and 19.

ITEMS ON MUNICIPAL ENGINEERING

EDITED BY WILLIAM A. BASSETT

Gasoline Tax Abandoned in England.—The policy of levying a tax on gasoline used in the operation of motor vehicles as a means of providing funds for highway purposes was discontinued by the ministry of transport of Great Britain after being in force for a number of years. According to A. B. Fletcher, consulting highway engineer, United States bureau of public roads, "in place of the gasoline tax as a revenue producer a tax of £ 1 (about $4.80) per horse-power of the motor vehicles was substituted.

"This tax is still in effect, and the owner of a Ford car, for example, pays into the public treasury annually very nearly $100 for the privilege of driving on the British roads. The high registration fee has fostered the manufacture and use of low-powered cars, and special attention has been given to small-cylindered motors and high piston speeds.

"The ministry does not favor a proposed plan to return to a gasoline tax, which the motor interests are pressing for, chiefly, I believe, because the officials dislike to abandon a source of assured income for a plan which they think to be less sure. They say they need at least £ 15,000,000 per annum for the roads; that the present taxing plan will surely produce that revenue; and that their experience with the collection of the gasoline tax prior to 1921 has not left happy memories. The old relatively high gasoline tax was doubtless evaded in many instances. Sir Henry Mayberry, chief of the ministry of transport, says that while the motors were increasing in numbers from year to year in an astonishing fashion, the receipts from the tax remained nearly constant. Much of the gasoline and the kerosene imported into England nominally for heating and manufacturing purposes doubtless found its way into the tanks of the motor cars."

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City Water Systems as Self-Controlled Utilities.—An interesting and forceful argument has been made by V. Bernard Siems, water engineer and president of the Water Board, Baltimore, in favor of conducting the administration of municipally owned water works under the jurisdiction of a board largely independent of other branches of a city government. This brief was submitted to the Efficiency and Economy Committee of Baltimore, which committee is studying the matter of city department reorganization and in one of its recommendations proposes the establishment of the water department as a co-ordinate division of a department of public works. Mr. Siems' argument is devoted mainly to an exposition of the theory supported by court decisions, that when a city operates a water works plant it engages in a commercial enterprise. From these decisions he draws the somewhat untenable analogy between a water board and the board of directors of a public utility company.

In support of his contention Mr. Siems cites the experience of Hartford, Connecticut, Detroit, Michigan and Los Angeles, California, as examples of particularly successful operation of water supply matters under independent boards. To these might well be added Charleston, South Carolina, and in many respects the city of New Orleans with its sewer and water board. One can appreciate the point of view of such men as Siems of Baltimore, Saville of Hartford, Gibson of Charleston and Fenkell of Detroit in endorsing and urging the retention of an administrative arrangement which has secured unhampered direction of water supply matters and satisfactory accomplishment in service rendered. In these cases, however, the outstanding ability of the individuals mentioned, working in harmony with an intelligent board, has been the main factor in producing results rather than anything inherently advantageous in a board itself. There are sound grounds for not including the water department of Baltimore as a co-ordinate division of a department of public works. The magnitude and specialized character of its activities justifies the retention of the water department as a separate entity in the city government. The wisdom of placing its administration under an independent board or a single department head is debatable. Alert and intelligent public opinion can ensure efficient service to the public under either plan.

Regulation of Billboard Advertising.—The establishment of some satisfactory regulation of billboard advertising is a matter that concerns the public as a whole and an educated public opinion should see to it that steps are taken to accomplish this. That communities in other countries than ours are confronted with this problem is shown by a case recently brought before the courts in East Sussex county, England. According to an editorial comment appearing in the English *Municipal Journal* "Under a by-law framed in 1912 in accordance with the provisions of the Advertisements Regulations Act, 1907, the East Sussex county council summoned five defendants who, it was alleged, had erected advertisements in such a manner that they disfigured the natural beauty of Sweet Hill, Patcham, on the South Downs. A portion of the land in the vicinity of Sweet Hill, it appeared, had been purchased by one of the defendants, and he, assuming no doubt that he could do what he pleased with his own property, himself erected a sign upon the estate, and leased a right to erect other signs to the other four defendants.

"The case is not without its humour. In the course of evidence for the county council it was admitted that that body could only ask for the removal of the advertisements, and not of the billboards on which they were displayed. It is to be hoped that this deficiency in the law may soon be remedied, since the defendants, even though they remove the lettering, threaten to paint the hoardings red. It cannot be permitted that the purpose of the legislature should be smothered by a pot of paint.

"Though a verdict was given for the county council that fact does not obscure the strangely unpleasant character of this particular offence. The owner of the land, to whom natural beauty seems to have made no appeal, divides his allegiance between property on this plane and the hope of salvation hereafter. On a hoarding forty-eight feet by sixteen, the owner of the land advised his fellows to watch and pray, on the ground that 'man brings about his own destruction,' and because the 'next air battle will be the end of the world.' It is much to be desired that the decision of the Hove county magistrates will involve that gentleman in very heavy loss. To spoil a landscape to satisfy one's own religious fervour is a form of egotism and a desecration of nature that ought to be suppressed; to develop an estate whilst warning mankind of an impending end, and taking rents meanwhile, is an odious cynicism for which he that can adopt such a course should be made to pay heavily.

"The East Sussex county council is to be congratulated as much for an attack on cant as for its success in its endeavours to preserve the beauty of the countryside."

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Stability Test for Asphalt Mixtures.—By the development of a simple test for determining the stability of asphalt mixtures announced by Prevost Hubbard, chemical engineer, the Asphalt Association meets a long felt need in street paving work. The essential features of the testing apparatus are a hollow metal cylinder 2 inches in diameter into which fits a solid metal plunger. The top of the cylinder is open and the bottom consists of a removable plate 1¾ inches in diameter and a fixed annular ring ⅜ inch wide. In testing asphaltic materials the mixture to be tested is placed in the cylinder with the removable plate in place and pressure is applied to the mass by means of the plunger until a compression is reached substantially equivalent to that obtained on the asphalt pavement by the use of the regulation road roller. By this procedure a test briquette, 2 inches in diameter and 2 inches thick, is obtained. The test piece is then replaced in the cylinder with the bottom plate removed, support being furnished by the annular ring. Pressure is then once more applied to the test piece and the loading which produces a shear or flow of the mixture through the bottom opening is recorded. This loading gives a measure of the stability of the asphalt mixture under test. Results obtained in this way show a very close approximation to those previously developed by other means. The apparatus required is inexpensive and simple of operation and can be set up readily at any field mixing plant.

NOTES AND EVENTS

East Bay Cities Unite to Secure Water Supply.—Nine of the cities on the east side of San Francisco Bay, opposite the city of San Francisco, have united to form a utility district for the purpose of securing an adequate water supply. These cities, which include Oakland, Alameda and Berkeley, now secure their water from a private company. The supply, is furnished by wells and local catchment areas and is insufficient and unsatisfactory. At the last election the people of the district voted a bond issue of $39,000,000 to construct a reservoir at Lancha Plana, 87 miles away. As soon as the present suit testing the validity of the bonds is settled the work of construction will be commenced. William J. Locke, Secretary of the League of California Municipalities, is attorney for the district.

◆

Fellowship Offered by National League of Women Voters.—The National League of Women Voters has announced a fellowship of $1,000 for the study of the American Indian problem and the policy of the government in Indian affairs, to be awarded to a woman graduate of an approved college or university. The fellowship covers one year's study at the Robert Brookings Graduate School, Washington, D. C. Applicants must have had a full year of graduate work in economics and government. Applications must be in by May 1. Copies of the announcements and forms on which application can be made may be obtained from the office of the National League of Women Voters, 532 seventeenth Street, N. W., Washington, D. C.

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Niagara Frontier Planning Board.—A bill has been introduced into the New York legislature providing for a Niagara Frontier Planning Board to be composed of city and county officials in the Niagara region of the state. This measure is an outgrowth of a conference held last fall at the call of Governor Smith for the purpose of discussing the planning needs of the Niagara frontier, which includes Erie and Niagara counties. Buffalo is the industrial and economic center but the growth of population and manufacturing in neighboring cities has been so rapid that the whole region has become an industrial unit.

Recognizing that the area is subdivided into different governmental units the feeling of those behind the movement is that the future of the district should be planned as a whole. The purpose of the bill is to provide a commission for this purpose with power to investigate and report.

◆

Financial Prophecy Makes Good.—Our readers may be interested in knowing of at least one case in which a prophecy relating to a city's taxable property, assessments and tax rates made good. On page 662 of the REVIEW for last November, Luther Gulick estimated what the total assessments, the municipal, budget and the tax rate would be for New York City for 1925. We now have to report that his estimate on total assessments was correct within .17 per cent; his estimate of new housing which would be exempt under the New York law was correct within 3.6 per cent. His guess as to the budget was correct within .25 per cent and his prediction as to the tax rate was correct within .37 per cent.

Total assessed valuations for all real estate in New York City are $11,900,000,000. The municipal budget for the year 1925 totals $398,954,228 and the tax rate is $2.68 per hundred.

◆

Vermont Institute of Municipal Affairs.—During February the Bureau of Municipal Affairs of Norwich University, Vermont, held a two day institute at which various subjects of municipal government were discussed. These included forestry as a municipal enterprise, debt legislation and city planning. One whole session was devoted to the city manager plan. This was the first conference on local government ever held in Vermont.

◆

Further Antiquarian Research into History of Speed Laws.—In the January issue we ran an item, "First Speed Law Passed in 1757," which gave the city fathers of Boston credit for originating what has become the modern speed law. Now Harold S. Buttenheim calls our attention to the claim advanced by Newport. It seems that in 1678 the assembly of the colony passed a resolution prohibiting the riding of "either horse, mare or gelding" at a gallop or running speed. In the preamble the resolution states that a small child had been injured in Newport "by reason of fast and hard riding of horses in said town." Mr Buttenheim suggests that perhaps someone will some day discover footprints on Plymouth Rock indicating that the Pilgrim Fathers regulated traffic when landing from the Mayflower.

◆

Bond Administration in St. Louis.—The St. Louis Bureau of Municipal Research has called the attention of the people of that city to wasteful practices followed by the city government in the issuance of municipal bonds. Bonds are sold before the proceeds are needed for construction work. Several millions of dollars thus remain on deposit, the city drawing only 2¼ per cent interest although the bonds bear interest at 4½ per cent. The Bureau rightfully insists that the sale of bonds should be delayed until the city is ready to proceed with the work. By so doing an immense saving in interest charges will be effected.

◆

State Pamphlet Under Fire.—Advocates of economy in state government are urging that the Oregon voters' pamphlet be discontinued. They insist that the annual cost of printing, postage, and upkeep of mailing lists and so forth, is $250,000. Returns, they say, indicate that not more than 40 per cent of the copies mailed out reach the homes of the voters.

The value of a voter's pamphlet along the Oregon lines has been highly esteemed by many, and in spite of the cost involved we predict that it will not be abolished without a sharp fight.

◆

City Manager Pays Tribute to University Bureau of Public Administration.—In an address before the annual convention of the League of California Municipalities John N. Edy, city manager of Berkeley, testified to the wide use which the city administration made of the municipal reference bureau of the University of California under the directorship of Professor Samuel C. May. This department of the University, known as the Bureau of Public Administration, has gathered some 30,000 pieces of literature dealing with municipal government, to which the city officials have access. In addition, the bureau compiles special reports and collects information for the city. Students specializing in public administration are available for city work on a part time basis, and their services have proved helpful, especially in connection with budget making.

◆

P. R. Amendment to California Constitution.—An amendment to the constitution of California to make the use of proportional representation optional for any municipality in the state has been introduced in the California legislature by Assemblyman Albert A. Rosenshine of San Francisco, and referred to the committee on constitutional amendments. A similar amendment was introduced at the last session of the legislature, shortly after the supreme court had declared Sacramento's use of P. R. unconstitutional, at the instigation of the board of freeholders which framed Sacramento's P. R.-Manager charter. The amendment passed the senate the last time but failed to pass the assembly. The campaign is being conducted this year under the direction of Walter J. Millard, field secretary of the National Municipal League and the Propertional Representation League, who reports influential support for it in Los Angeles and other cities, as well as Sacramento and San Francisco.

◆

Cook County Efficiency Program.—Cook County, Illinois, has been carrying on for about two years a program of efficiency and economy which, according to last reports, is resulting in material saving and improvement in the quality of work in the county offices. J. L. Jacobs & Company are the consultants in charge.

According to the 1925 report of the judges of the circuit court, the changes introduced with the aid of the efficiency experts have resulted in a reduction in the number of court employees amounting to 546 below what would have been necessary under old conditions.

It was expected that further reductions would be possible during the second year of the operation under the new methods, not only in the departments coming under the jurisdiction of the circuit court judges but in other departments as well. A conservative estimate seems to be that $1,650,000 will be saved annually when the efficiency program has been completely carried out.

A part of the plans calls for legislative action. Pending such action the improvements have come largely through the adjustment and rearrangement of help, the substitution of mechanical for long hand methods in preparing the voluminous tax records, the use of photographic and dictation machines, the adoption of uniform time keeping and a central payroll system, and the introduction of modern labor saving machines. The report to the county commissioners states that the appropriations for 1925 were reduced $800,000 due to the adoption of efficiency measures. This saving is over the 1922 expenditures made before the present efficiency program was begun.

✣

Gasoline Storage Regulations Upheld.—In the case of the *Cities Service Company* vs. *Marysville* in which the opinion was filed on January 10, 1925, it was held by the supreme court of Kansas that, under statutory power to enact all such ordinances as may be expedient for maintaining the welfare of the city, the council may regulate the manner in which kerosene and gasoline may be stored within the corporate boundaries, and an ordinance forbidding the storage of such fluids (except in small quantities) otherwise than in tanks buried at least three feet underground, is not invalid on its face, and one who attacks it as unreasonable as applied to the particular state of facts, has the burden of overcoming strong presumptions in favor of its validity. It was held that in the present case such presumptions were not overcome.

This was an action in equity upon the application of the Cities Service Oil Company for an injunction restraining the city from enforcing an ordinance forbidding gasoline, kerosene, or other inflammable or combustible liquids to be kept or stored within the corporate boundaries otherwise than in tanks, barrels or other containers buried at least three feet underground, exceptions being made in the case of crude oil, distillate, or fuel oil, in containers of five hundred gallons or less, and of gasoline, kerosene and naptha in quantities of less than ten gallons.

The court held that the ordinance in question could legally be passed and enforced under the "general welfare" and "police power" clauses of the state statutes. It was held that the ordinance did not prohibit the use of property for a given purpose but merely regulated the manner of storage. Striking cases of explosions and fires involving such oil tanks were read into the testimony.

Harvey Walker.

✣

Chicago's Sewage Disposal Dilemma.—A decision of the United States supreme court restraining the city of Chicago from diverting water from Lake Michigan for purposes of sewage dilution, in excess of 250,000 cu. ft. per minute, may have the effect of enforcing the installation of meters over the entire water supply distribution system of that city. Since 1899 the city of Chicago, acting under a permit granted by the secretary of war, has been diverting water from Lake Michigan through an artificial channel that takes the place of the Chicago River, formerly a small stream flowing into the lake. This channel which flows into the Des Plaines River and thence into the Mississippi receives a considerable part of the sewage of the city of Chicago and the diversion of water from Lake Michigan has been for the purpose of securing the necessary dilution of that sewage to prevent serious nuisance. The amount actually diverted, it is claimed, has exceeded materially that permitted and the supreme court has ruled that such excess diversion constitutes an infringement of the rights of other communities with interests in the lake and, therefore, that the practice must be stopped. This means that Chicago must take immediate steps to provide for extensive treatment of its sewage as it would be unthinkable to discharge it untreated into Lake Michigan, and the reduction in amount of water that may be diverted through the drainage canal will restrict materially the use of the latter for untreated sewage. The cost of operating treatment works will depend largely on the amount of sewage to be treated.

Sewage has been defined as the spent water supply of a community and the amount of sewage to be handled, naturally, will vary with the consumption of water. For many years Chicago has had the unenviable reputation of being an unnecessarily extravagant user of water. According to the 1923 report of the department of public works of Chicago, the consumption during that year amounted to 271 gallons per day for each inhabitant or over twice the per capita consumption of New York City As all of the water supply for Chicago has to be pumped, the excessive consumption means correspondingly excessive cost of obtaining the supply. Undoubtedly, one of the main contributing factors to the high water consumption is the relatively small percentage, 28.85, of the supply that is metered. The economies that could be effected in furnishing water supply to Chicago by the installation of meters over the entire system and the imperative need for adopting a more rational system of water charges that the present one, as a means of securing necessary revenues, have been admirably presented from time to time for the consideration of the city government by John Ericson, city engineer. However, up to the present time, probably due in large measure to political expediency, favorable action has not been taken in this matter. Now that Chicago faces the probable necessity of pumping the bulk of its water supply twice, once as potable water and once as sewage it is doubly important that prompt action should be taken to reduce the extravagant use and waste of water. That universal metering of the supply will aid materially in this accomplishment is unquestioned. A reprieve in enforcing immediate compliance with the order of the supreme court has been granted the city of Chicago by a conditional permit issued by Secretary Weeks of the war department. This permit enables Chicago to divert, for the next five years, 8,500 sec. ft. of water from Lake Michigan, the amount to be reduced progressively thereafter to not over 4164 sec. ft. by 1935. Immediate construction of sewage treatment works is required under the terms of the permit and also the metering of at least 90 per cent of the water supply services within the city, the installation of meters to be made at the rate of ten per cent each year. With respect to the requirement of metering it will be interesting to see with what grace Chicago will accept the situation of being figuratively black jacked into doing something that if done years ago would have been of tremendous financial benefit to the taxpayers of that city.

William A. Bassett

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Chicago Citizens Voting on Street Railway Ordinance.—The city council of Chicago passed an ordinance to provide for a comprehensive municipal transportation system. It will be voted on by the people this month.

It provides for the purchase of the surface and elevated lines, the construction of subways, the extension of the surface and elevated lines, the acquisition of added equipment, the construction of power houses, etc.

The surface lines comprise about 1,000 miles of single track. There are nearly 200 miles of elevated lines. Over 200 miles of elevated and about 250 miles of surface lines are listed in the new extensions for the next ten years.

The extent of subway construction is not clearly indicated but may be anywhere from 15 to 45 miles of single track.

The ambitious program will, it is estimated, involve an expenditure of at least $621,000,000.

Existing surface lines, $163,000,000; elevated lines, $85,000,000. Subways, surface and elevated line extension, equipment, etc. to cost an additional $373,000,000.

While those who shaped up the program spent at least a year and a half in secret conferences with bankers and traction magnates, the public is given less than 30 days in which to study it and reach a decision. The ordinance as presented to the council, comprised over 200 pages. At the time it was passed 128 amendments were presented and adopted. It is one of the most complicated ordinances that has ever been passed in Chicago.

A few printed copies of the amended ordinance were first available to the public on March 6. The referendum election is to be held on April 7.

While the mayor vetoed the ordinance of 1918 and went out to defeat it in the referendum, most of the opponents of that ordinance consider the present one much worse in almost every detail. Though it is called a municipal ownership ordinance, it has been dubbed by some the "municipal bag-holding" and by others, the "unloading ordinance."

A very high price would be paid for both the elevated and surface lines. Seattle paid about $75,000 per mile of single track when it took over the lines there at a total cost of $15,000,000. Chicago, if the deal goes through, will pay about $164,000 per mile of single track or about $163,000,000 for 993.6 miles.

A board of control is created, made up of nine members appointed for a term of nine years. The members cannot be recalled or removed except for malfeasance in office. It has full control of finances and construction. Little is said about operation. If, however, the proposition for operation does not carry at the referendum and the one for ownership does, then the question of what disposition is to be made of operation is left entirely blank as far as the provisions of the ordinance are concerned.

As constituted, the board will have three members appointed by the mayor, three by the bankers' committee of security holders, and three by joint agreement or action of the mayor and the security holders' committee.

Those favoring the ordinance claim that it is municipal ownership. Those opposed, claim it is not in any sense a municipal ownership arrangement but that, in effect, it is giving an indeterminate franchise grant. The 50–50 control arrangement holds until 51 per cent of the securities are paid off. At that time the board is to be reduced to seven members with three appointed by the bankers and four by the mayor from a restricted group.

The board issues securities or certificates in exchange for the property of the present companies and for constructing subways, extensions and equipment. These are a lien on the property purchased or constructed and on the earnings of the lines. While the board is not in any sense responsible or responsive to the public will or to any control by the city council, it will sit tight and raise fares to whatever rate is necessary to meet costs. With divided responsibility and possibly absolute independence from any control or regulation, the opponents of the ordinance do not see anything of promise in the way of honesty or efficiency in the conduct of the undertaking.

Sometimes we can learn from the experiences of others. The people of Seattle are pretty well convinced that they paid at least twice as much for the street railway lines there as they were worth. They had to raise the fare for a time to ten cents. Chicago will pay more than twice as much per mile for single track as Seattle paid. Seattle paid about $75,000 per mile of single track while Chicago is to pay about $164,000 per mile for rather badly worn second hand property.

The average fare in Chicago, computed for both elevated and surface lines, is slightly over seven cents. If the scheme goes through with the excessive prices for both surface and elevated lines and the ambitious program of additions, extensions and subway construction is carried out, there is no telling what the fare will have to be. It will almost surely have to go to 10 cents and possibly to 15 cents or more.

Most honest advocates of public ownership are opposing the present ordinance the same as the real public ownership people opposed the Seattle purchase at that time.

At the election on February 24, the traction question was not an issue in many of the wards. In at least two where it was a sharp issue, the aldermen who had opposed the ordinance were returned with good majorities although their regular party organizations were against them.

Charles K. Mohler.

NOTES ON MUNICIPAL AFFAIRS ABROAD

EDITED BY W. E. MOSHER

Employee Co-operation in England.—A recent issue of the *Whitley Bulletin* contains several references that indicate the steady progress that is being made by the joint arrangement known as the Civil Service National Whitley Council, whereby representatives of the officials and the staff investigate and discuss the problems of the British government service. Among other things, reference is made to the work of a committee which has resulted in a treasury order governing the appointment of ex-service men to the civil service and prescribing other conditions pertaining to their status. Incidentally, this orderly and discriminating procedure contrasts in a very marked way with the blanket preference extended to veterans under the federal law in the United States.

Secondly, it is indicated that satisfactory progress is being made in the direction of establishing an arbitration court which is to pass upon matters affecting the civil service that cannot otherwise be satisfactorily settled. It is stated that the new Arbitration Board will begin to function in the near future.

Thirdly, one of the most interesting features of the activities of the Whitley Council is the systematic development of plans for what is commonly called "further education." It appears that the central committee of the National Whitley Council drafted a constitution for a Civil Service Council for Further Education in July, 1924, and drew up a program of studies for the consideration of the various staff organizations. As evidence of the realization of this scheme, an extract from the annual report of the Inland Review Department, cited in the January *Bulletin*, calls attention to the fact that the educational committee of this department has made arrangements for a series of lectures on the following subjects: Economics, Psychology, Appreciation of Art, and Advanced French. This is an example of what is going on in various departments.

Finally, a review of the objects noted in extracts from departmental reports, which are brought together from time to time in the Bulletin, is most enlightening. It is clear that all sorts of interests ranging from classification of employments to sick leave and benefit funds are taken under consideration by the departmental committees and in some cases brought to the attention of the National Council.

One such series of extracts concludes with testimony regarding the relations of the officials and the staff members of the Whitley Committee in a single department, which to all appearances applies generally to the various departmental committees. It is stated that, "the relations with the official side have been uniformly friendly and helpful and the staff side has no reason to complain of lack of scope within the wide limits of the constitution and, finally, that the Departmental Whitley Council may now be said to be fairly established as an effective instrument in the administration."

⁂

German Municipal Organization at a Glance.—In view of the widespread state of unrest in the matter of municipal government in Germany and the probability of a thorough-going reorganization within the framework of a new imperial law, an enterprising author (Meyer Luelmann) has brought together in the form of tables, the essential features of municipal government, according to the conditions existing in the various countries of Germany at the present time. Prussia alone forms an exception in that reference is made not to existing laws but rather to the provisions of a new bill which has already reached the third reading in the Prussian Diet.

The statutes of the following countries are reviewed: Prussia, Bavaria, Saxony, Wuerttemberg, Baden, Thuringia, Hessen, Mecklinberg-Schwerin, Oldenburg, Braunschweig, Anhalt.

In bringing the material together, the compiler has restricted himself strictly to the municipal fields without taking into account the relations between the municipality and state. The tables, covering four quadruple and one double page, make possible comparison between the various types of municipal organization with regard to ten main points. The headings are as follows:

1. Organs of Government (whether public or non-public sessions).
2. Constitution of These Organs.

3. Chairmanship of Various Bodies; Voting Powers of the Burgomaster and the Paid Councilors.
4. The Method of Election and the Right of Franchise, as well as the Eligibility for Elective Office.
5. Period of Office Holding of the Various Officials and the Provision for Special Elections.
6. Rights and Degree of Co-operation of the Various Organs in the Affairs of Self-government.
7. Conditions Governing Initiative and Referendum.
8. Functions and Constitution of Committees and Special Commissions.
9. Method of Selecting the Chairman of Such Committees and the Membership and Voting Rights of the Burgomaster and the Paid Councilors.
10. Retirement Provisions of the Burgomaster and Paid Councilors.

In his introductory statement, the author indicates that it is his purpose to go to the heart of the whole municipal government. It appears to the reviewer that he has been successful in this and has provided those interested in German conditions with a very useful scheme for ready reference. (*Zeitschrift für Kommunalwirtschaft*, Berlin, January 25, 1925.)

◆

Town and Regional Planning.—The report of the proceedings of the International Federation for Town and Country Planning and Garden Cities, held at Amsterdam, July, 1924, affords a bird's-eye view both of the achievements and the problems of the most progressive city planners who gathered at this time from twenty-eight different countries. The total attendance was five hundred. The subjects covered were the following:

1. General principles of regional planning.
2. Technical problems in regional planning.
3. Legal problems.
4. Parks, park systems and recreation.

Papers had been prepared by some of the foremost men in the field. Molière, the president of the Netherland Council of Local Administration, Dr. Unwin of the British Ministry of Health, Dr. Schmidt, the director of the Regional Planning Association of the Ruhr, Thomas Adams, Mr. Shurtleff and Mr. Goodrich of the staff of the Regional Plan of New York and Its Environs, Professor Hubbard of Harvard University and Professor Abercrombie of the University of Liverpool, were among those contributing to the official program.

Seven resolutions which were formally adopted, as they summarize the sentiments of the conference in a compact form, are quoted in full:

> 1. An unlimited expansion of large cities is undesirable. The conditions prevailing in the very largest agglomerations are a warning to cities of more modest proportions.
>
> 2. Decentralization by means of satellite towns should be considered as a means in many cases for preventing excessive enlargements.
>
> 3. It is desirable for the built-up parts of cities to be enclosed by green belts intended for, and to remain set apart for agriculture and horticulture, cattle breeding, etc., in order to prevent the formation of endless seas of houses.
>
> 4. The very rapid growth of traffic, especially that of motor cars and motor buses, renders it necessary for very special attention to be devoted in the future to the traffic problem, local as well as that between towns.
>
> 5. The preparation of regional plans is necessary for the development of large cities, particularly where they are situated in the immediate vicinity of a large city. In these regional plans, points 2, 3, and 4 will have to receive full attention in the first place. These plans therefore should not be mainly plans of extension, but designed to prevent entire districts from being covered with continuous lay-outs.
>
> 6. These regional plans should be elastic and be changed according as conditions alter. Such a modification should only be made for reasons derived from public interests.
>
> 7. It is essential that in connection with town and regional plans, power be given to ensure that land zoned for certain purposes is put to that use, while the plan remains in effect.

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COMMENT

Oregon is not fond of the income tax. Not only has she repealed it after a brief experiment, but the legislature has referred to the people a constitutional amendment prohibiting the imposition of any inheritance or income tax until 1940. If the amendment is adopted the state may live to regret it.

*

By more than 100,000 votes Mayor Dever's municipal ownership plan for the Chicago street Railways was defeated on April 7. Straw votes indicated that it would probably carry by a small majority, but the opposition of some important newspapers and division among Mayor Dever's supporters were sufficient to counteract the ardent support of much of the business element. The plan was undoubtedly advantageous to the traction interests and, for the time being at least, gave the city municipal ownership in name only. A more extended analysis of the election will appear next month.

*

Indications are that there will not be less than one hundred candidates for seats in the second Cleveland council to be elected under proportional representation. Seventy-five are now in the field with their nominating petitions. At the election two years ago there were one hundred thirty-seven candidates at one time in the campaign, but this number fell to one hundred eighteen at the finish.

*

Adolph S. Ochs, owner and publisher of the New York *Times*, has made the University of Chattanooga a gift of $50,000 towards the endowment of a chair in municipal government. In explaining the purpose of his gift Mr. Ochs said:

> I want to impress upon young men an appreciation of the field and the opportunity that is theirs, an opportunity not only for service but also for a career. . . . City management is fast becoming a profession, and I hope through this gift not only to aid in the development of this profession but also to give many boys an incentive and an opportunity to fit themselves for such service.

Mr. Ochs' gift is conditioned upon friends of the University raising $150,000. One hundred thousand dollars of this amount has already been pledged.

*

A bill establishing "home voting" has been introduced into the Wisconsin Senate, at the request of W. E. Hamilton. Mr. Hamilton believes that the stage has now been reached at which people can vote by mail. The bill provides procedure designed to counteract fraud.

*

England reports that it is becoming more and more difficult to find acceptable police recruits. Ninety per cent of the applicants, it is stated, never get so far as the examining doctor. Another 5 per cent fail to pass the education tests. The question is whether physical fitness is declining or whether the life of a policeman no longer attracts well-built young men. And if so, Why?

*

The bill, drafted by Dr. A. R. Hatton, permitting the city of Butte and the county of Silverbow to consolidate under the city manager charter, was amended by the Montana legislature at its recent session. The primary was moved up three months, and several municipal officers, namely, the sheriff, attorney and assessor, were made elective instead of appointive. Obviously this constitutes an encroachment on the sound short ballot principles incorporated by Dr. Hatton in the original act.

*

Schenectady, New York, a city of almost 100,000 population, will vote in June upon the adoption of Plan "C" charter, which provides the city manager form with a small council elected at large.

W. J. Millard, field agent of the League, will be in Schenectady during the closing days of the campaign. The election will be watched with great interest by the people of Rochester, New York, where the movement to adopt a city manager charter has attained important proportions.

*

The Spoils of Politics

How far we are from a thoroughgoing application of the merit system in the higher political posts, and consequently the establishment of the professional idea in municipal service, is illustrated in a recent report of the New York Citizens' Union entitled "Why is Hylan?" Another report might be written on "Why is Any Mayor?" Hylan is unique in some ways, but in utilizing patronage to further his own ends he is no different from the average.

Of the seventy-two district leaders of the Democratic party in New York City, fifty-eight are on the city payroll, at salaries ranging from $3,500 (there is but one as low as this) to $12,000 per year. Only five hold elective office, the rest are appointed. The total annual payroll of the fifty-eight is more than $420,000 per year. In addition three district leaders hold state or national elective office.

Now the district leaders are big men in the party machine. Their tasks as political foreman are heavy and time-consuming, and it is safe to assume that a great deal of the salary paid them by the city is really compensation for their services to Tammany and Mayor Hylan.

Not all of the fifty-eight owe their place to Hylan but a change in the mayor will jeopardize the posts of those holding borough or court posts. This helps explain why Al Smith, who dislikes Hylan, has not been able to persuade Tammany to throw him down, and his re-election this fall is generally conceded.

The fifty-eight district leader job holders are merely the front rank of a considerably larger crowd of political workers in municipal office. It will be the normal condition as long as the chief operating executive is a politician. And he will normally be a politician until the whole basis of his selection is changed.

The city manager plan does not guarantee that municipal administration will be in the hands of a non-politician. But it does provide a method by which a different sort of person can be made the city's operating head. The job specifications for the position of city manager are quite different from those for the office of mayor.

A WINDOW DISPLAY OF "MUNICIPAL RESEARCH"

BY EDWARD THURBER PAXTON

Bureau of Municipal Research of Philadelphia

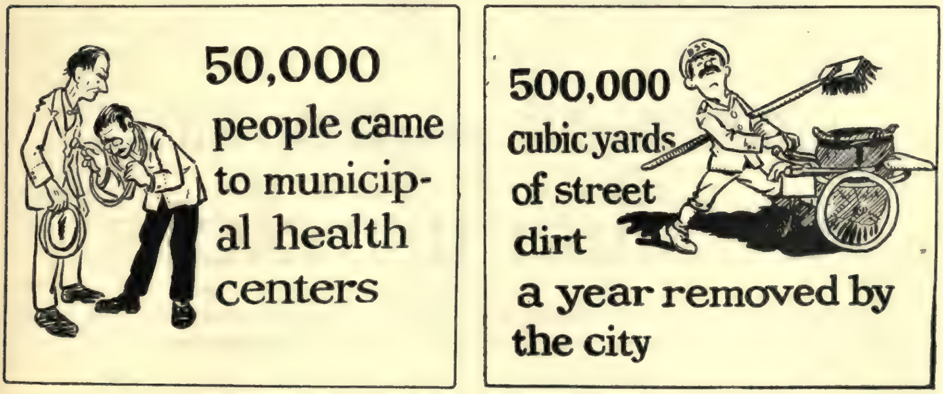
Citizens learn what the municipal research bureau does, and incidentally receive some education on what the city provides its people. The cartoons here reproduced were used in the campaign. :: ::

A WINDOW exhibit of its work was requested of the Philadelphia Bureau of Municipal Research during the most recent annual financial drive of the Welfare Federation of Philadelphia.

Exhibitions of work arranged each year by numerous member-agencies, and the service of hospitals, visiting nurses, child-caring, and family relief agencies, and similar organizations whose undertakings appeal to the emotions, are very effectively portrayed. It remained for the Bureau to try visualizing the task of studying and improving government.

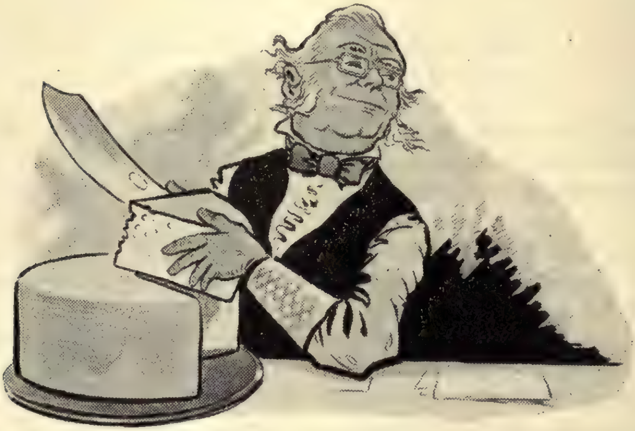
The spirit of the occasion was seized by displaying, in posters which formed the "leaders" or "headlines" of the exhibit, the fact that, "*The Bureau of Municipal Research is dedicated to the task of making more effective the services of Philadelphia's most important welfare agency, the city government.*"

Under this caption, the central figure of the display was an enlargement, nine feet long, of the organization chart of the city government recently published by the Bureau. This was mounted on an easel, at eye-height to the passer-by. The portion of the chart representing the registered voters, from which lines of authority spread out, fan-like, directly or indirectly to almost every unit of the complex government, was cut away and replaced by a mirror. Accompanying the chart was the legend, "This is a picture of your city government. *You*"—and here an arrow pointed to the reader's reflection in the mirror—"are responsible for its success or failure."

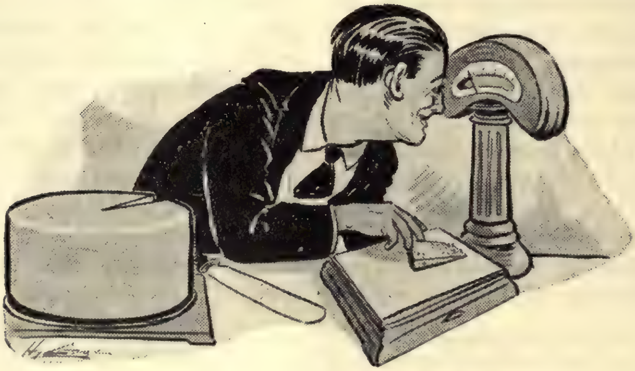

50,000 people came to municipal health centers
500,000 cubic yards of street dirt a year removed by the city

DIVERSIFIED ACTIVITIES OF PHILADELPHIA CITY GOVERNMENT

In 1800 cheese could be sold at a guess



NOW, it must be weighed to a fraction



In GOVERNMENT, as in GROCERIES

. . . guess work doesn't go.

WE MUST USE FACTS

POSTER USED IN PHILADELPHIA WELFARE DRIVE TO SHOW THE SERVICE OF THE BUREAU OF MUNICIPAL RESEARCH

Ribbons, in the city's colors, ran from governmental units on the chart to cards, pictures, and models, in other parts of the window, indicating some of the benefits to citizens contributed by the city government. "Ocean Trade" was linked with the department of wharves, docks, and ferries; "Fresh Air and Sunshine," with the division of housing and sanitation; "Legal Aid," with the legal aid bureau. "Justice," "Civic Beauty," "Library Service," "Wholesome Fun and Exercise," "Better Health," "Fair Weight and Measure," "Pure Food," "Healthy Children," "Healthful Homes," "Good Streets," and "Good Street Lighting," were some of the benefits shown as attributable in some part to the city's activities. Models were shown of a new city hospital building and a combined police and fire station. Photographs showed a new school building, a city market, the interior of a filter plant, a Frankford "L" train, and a street-cleaner at work.

Cards and posters, some illustrated with cartoons, pointed out the significance of municipal activities and citizen responsibility for them. An automatic projecting machine displayed lantern slides containing information about the city and the work of the Bureau, effectively enlivened with humorous illustrations by a nationally-known cartoonist. Numerous samples of *Citizens' Business* and other Bureau publications were displayed prominently.

The exhibit attracted a great deal of attention from pedestrians on a busy section of Chestnut Street, and, undoubtedly, was instrumental in making the Bureau of Municipal Research better known to a large number of citizens.

CLEANSING AND AGRICULTURE PROFITABLY COMBINED IN GLASGOW

BY W. GREIG

Cleansing Superintendent, Glasgow

The disposal of city refuse is a problem which has perplexed many municipalities, and has taxed the ingenuity and skill of cleansing superintendents everywhere.

With the advance of science in cleansing matters, the methods of dealing with refuse have been gradually changing.

The rough-and-ready practice of depositing contents of ashpits on low lying ground, upon which later dwelling houses were erected, was rightly condemned, and other outlets had to be devised.

With the introduction of the destructor furnace the difficulties in connection with the disposal of refuse were partially dispelled. There is, however, in almost every city a considerable proportion of the refuse which is suitable for use as a fertilizer, and where there is an outlet for the material among farmers, it can as a rule be disposed of to advantage.

GLASGOW A PIONEER

But there is also a considerable quantity of material which it is impossible either to cremate or sell. It is therefore desirable for a large city, and even for one of moderate size, to possess a stretch of land to which such spare material can be despatched. The advantages to be gained by a corporation owning land in this connection are numerous and important.

In proof of the feasibility of a municipality owning land as an adjunct to the ramifications of its cleansing establishment reference may be made to the experience of Glasgow. Glasgow was the first city in Great Britain to launch out in this direction, and may rightly be termed the pioneer of municipal agriculture.

The first attempt was made in 1879, when a stretch of bogland nine miles from the city was leased for 31 years.

When taken over the ground was absolutely useless as an agricultural subject, but it was thoroughly drained, suitable houses were erected, and a railway siding led into it. Provision was also made for tipping unsaleable refuse.

The soil being entirely of a mossy nature yielded good crops, the potatoes being of splendid quality and valuable as seed.

The only regret associated with this venture, however, was that a first-class agricultural subject reverted back to the proprietor.

As a result of the Fulwood moss ground experience, the cleansing committee realized more and more the great necessity of owning land which could be reached by the different railway systems. Consequently, in 1891, when the rapid increase of the city demanded more accommodation for dealing with refuse, it was decided to purchase outright (not lease) the estate of Ryding, near Airdrie, on the L. & N. E. Railway, about eleven miles from the city.

The area then acquired was 564 acres. Since then other adjoining farms were added, thus increasing the estate to 821 acres.

POOR LAND MADE FERTILE

The land is stiff clay, and when purchased was in very poor condition, the crops then raised being light and of inferior quality.

By careful draining, however, and liberal manuring with unsaleable city refuse the land has been brought up to a high state of productiveness, and large crops of hay, oats, wheat, turnips, potatoes, etc., are raised yearly.

The next step taken in acquiring land was in 1895, when the farm of Maryburgh, 55½ acres in extent, and situated on the L. M. & S. Railway System, was purchased as a refuse tip.

The adjoining farm of Hallbrae was also leased (purchase being impossible), the object being to provide better railway accommodation. The latter farm grows excellent crops, the soil being of superior quality.

A further acquisition was made in 1902, when the historic estate of Robroyston was purchased. The area of this property is 656 acres, and it lies within four miles from the city, on the L. M. & S. Railway System.

The ground was acquired for the purpose of providing tipping accommodation for unsaleable refuse, the raising of food and provender for the stud of the department, and also for the provision of hospital facilities. In connection with the latter scheme an area on an elevated portion of the estate was transferred to the public health department.

A considerable amount of draining and reclamation work has been done since the estate was acquired, and a large number of "unemployed" have been provided with work for a number of winters. Moss and waste lands have been reclaimed, and good crops are now grown thereon. The rest of the land is of fair, good quality, and capable of yielding good results.

The estate possesses historical interest owing to the fact that the betrayal of Scotland's patriot, Sir William Wallace, took place near the old mansion-house which was demolished some years ago. A monument, erected by public subscription, now marks the spot of the Scottish hero's betrayal. Wallace's well, in the near neighborhood, is also a source of interest. Altogether, the estate of Robroyston is a valuable adjunct of the department.

While the mineral rights of Ryding estate are reserved, the minerals in the lands of Robroyston are the property of the corporation, and same have been leased for a period of 31 years as from Whitsunday, 1915, thus adding another source of revenue to the department. There is also a brick works on the estate which yields a good rental.

The latest purchase was made in 1924, when the estate of North Myvot, extending to 93 acres, was acquired. This estate will form a valuable adjunct to Ryding, both for agricultural purposes and for disposal of city refuse.

OPERATED WITHOUT BURDENING TAX RATES

The original cost of the estates is being wiped off by a sinking fund extending over a period of 40 years, so that in the course of time the city will possess a free asset in these valuable lands.

The cleansing committee has all along realized how important and necessary these estates have been in connection with the operations of the department, into which they dovetail so well. Mention may be made of one great advantage, viz., the benefit derived by having at command a good supply of fresh hay and feed for the large stud in the city, consisting of over 300 horses, thereby ensuring a good bill of health. That this is the case is evident from the fact that the average death rate for a number of years back has been only a fraction over one per cent. The estates also provide a rest camp for horses requiring a change, where they are able to engage in farm work on softer ground, and after a spell return to the city fully recuperated.

During the past four seasons the department's farming operations—in common with the experience of agriculturists throughout the land—have passed through a trying time, the cropping accounts being on the wrong side. It should be borne in mind, however, that the climatic conditions have been very bad, and in addition to the adverse weather the prices received for produce did not prove remunerative. The government, however, urge the necessity for farmers putting as much land under crop as possible, and with more favorable weather and better prices—which are now showing signs of improvement—the prospects are decidedly brighter.

Reference might also be made to the fact that, notwithstanding the depression in agricultural circles, the cost of labor is still very high. The skilled farm laborer now realizes that he is a highly trained workman and looks for his services to be remunerated on similar lines to other skilled occupations. Little fault can be found with the sons of the soil endeavoring to secure more liberal recognition; at the same time during bad seasons it tends to increase the burden of those engaged in such an uncertain calling as agriculture.

In conclusion, it is satisfactory to be able to say that, notwithstanding the lean years referred to, these estates, and the operations connected therewith, have been conducted without imposing any charge upon the rates.

As pioneers of this branch of municipal enterprise the cleansing committee of Glasgow Corporation has every reason to feel proud of the success which has attended their efforts, and it is a further source of gratification to know that other cities and towns have recognized the importance of the step, with the result that quite a number of other corporations have followed Glasgow's example and now own land outside their boundaries.

INSURANCE OF MUNICIPAL BONDS

BY HORACE H. SEARS

Counsellor at Law, New York City

Municipal bonds should be insured against mistakes in form and procedure of issuing. Such insurance will be particularly helpful to small cities. :: :: :: :: :: :: :: :: ::

The proper development of city planning requires adequate financing of construction. This cost of projects should be considered as soon as preliminary improvement plans indicate the character of new work. In a case where the city credit is impaired, if for instance, the constitutional debt limit has been reached, financing must receive primary consideration. All too frequently, the matter of financing is reserved to the last, and the public interest in a given project makes progress only to find that means of payment are not easily found.

MUNICIPAL BONDS CAN BE TREATED LIKE PRIVATE MORTGAGE BONDS

This article has reference to the small city financing and the legislation required to standardize practice in the matter of bond issues. Notes and warrants are issued under legislative authority for small amounts when emergency funds are needed. But municipal bonds have more desirable features, both for the city and for the purchaser, in most cases. The bond is considered as similar to a first mortgage on real estate. The security back of the loan is said to be real estate. The private loan, based on a mortgage of land, has been reduced by legislative enactments and by court decisions to a position of relative certainty in the world of finance. While state laws may vary, f.i. the lien theory and title theory of mortgages, the private bond-and-mortgage-loan may be said to be "standard practice."

The Torrens land registration laws represent statutory procedure; the insurable features are set forth in detail and well summarized in Reeves (*Real Property*, Vol. II, p. 1583): "An examination of title, and adjudication by a competent court of the status and validity of such title; a certificate duly made and issued by the registrar, showing the exact condition of the title; . . . ; and in some jurisdictions, the supplying of an assurance fund, for the payment of any losses that may result from such dealings with the title."

What has been done with respect to private loans and the registration and assurance thereof may be done for municipal bonds which partake of the nature of this private mortgage bond. The success of city planning is in a measure dependent upon safeguarding the investor's funds which purchase the municipal securities offered to secure funds for construction. This is particularly true in the financing of requirements of small cities. We now have various state laws which have made uniform the practice of conducting commercial activities; f.i., uniform negotiable instruments acts. It is in conformity with this practice that legislation should be had respecting state laws which will provide for a uniform municipal bond law. This should result in a standard *form for municipal bond* and *standard procedure* relating to the delivery of municipal bonds. (See Richards on Insurance Law, Vol. II, Chap. XI, "The Standard Fire Policy".) What has been accomplished for fire insurance in standardizing forms and procedure can be had by legislative enactment on behalf of municipal bonds.

Organized effort is needed to educate the people to vote for uniform municipal bond laws. The present hit-or-miss methods relating to municipal financing of needed city improvements should be improved upon. Valid laws exist for municipal corporations to issue bonds. Unfortunately these valid laws are so varied that only where expert counsel is retained, as in the case of large issues by large cities, is there any certainty of a satisfactory check on procedure incident to the issue and delivery of municipal bonds.

The invalid bond, in the hands of an innocent purchaser for value, presents a case of double injury to the cause of public borrowing. The uncertainties above referred to often lead to the issue of bonds which are void from the start. They are usually issued "by and with the advice of counsel," and they are sold in good faith. Some are paid at maturity, in full, and no harm is done. All too frequently, this type is issued by a city where the advice of counsel is not good, and only when the city, later, fails to pay the interest coupons, and court proceedings result, have we the first indications of invalidity of the bonds.

Present laws also provide the uncertainty, which attends an issue of municipal bonds, that where there is a procedure under a valid law some irregularity in procedure may cause the bond to be declared *invalid* but *not void*. This legal distinction between invalidity, which may be corrected by subsequent proceedings, and a bond which is void from its inception, are also too numerous.

UNIFORM PROCEDURE WILL HELP BUT NOT CURE

Standard methods of procedure will help but not entirely cure defective bond issues. Proper legislation will add to the character of municipal bonds and the adverse criticism, if any, be placed with incompetent officials and not upon the legitimate loans secured by municipal bonds. The use by the city of borrowed money should be based upon the same considerations which govern commercial loans, but the municipal corporation should provide a better risk as to loans and as to insurable features than the private corporation offers. The city has an insurable interest in all public improvements. Given proper legislative power to proceed with definiteness, the city should guarantee *to the purchaser* the municipal bonds for all public purposes.

Owners of municipal bonds will have to be considered as well as the city. Granted that the "underlying lien," of a special assessment district bond, is the realty of the abutting property owner, the municipal bond *in theory* is as well protected when issued without the "general obligation" of the city and the bond owner has only the right to foreclose against the abutting property. This is good theory, but not good practice. The cost of borrowing money is less when the "general obligation" of the city is pledged, compared with the limited liability of the abutting property of the special assessment district. What chance for enforcement of this lien rests with an isolated bond owner of a "limited liability" bond? Some states provide a merely nominal fee for collection in such cases which is entirely inadequate for legal proceedings. These improvements are in the nature of "fixtures" to the realty. They improve the city and add to its assessed valuation. Refusal by purchasers of municipal bonds to take anything but "*general obligation*" *bonds* would result in the passing of adequate legislation to enable a city to pledge its "full faith and credit" in all cases in which bonds are issued by it for municipal corporate purposes.

INSURANCE NEEDED

The city should pledge its credit—in commercial parlance, "indorse its securities"—when bonds, notes or warrants are issued to pay for public improvements. The next step which the city should take is certification to prospective purchasers of its securities that its procedure has been "insured" by a recognized company of underwriters; that its sinking fund provisions for payment of the bonds at maturity are likewise "underwritten"; and that the bond contract is statutory in form, and clearly represents a promise to pay which is evidenced by the "full, faith and credit" of its corporate resources. A loan based on a promise of this kind should result in lower construction costs and less interest charges.

Insurance would also serve as a protection against cost of litigation concerning procedure. This applies particularly to the small city and should give the additional guarantee of validity which will enable the city to borrow money at the lowest rates. If the legal effect of a municipal bond is similar to the private mortgage bond, then insurance should obtain for the municipal bond as it now does for the realty mortgage of the private individual.

HOW LOS ANGELES IS SPENDING HER POWER BONDS

BY MAJOR CARL A. HEINZE

Engineer, Electric Distribution, Los Angeles Bureau of Power and Light

What has been done since the city took over the electric light and power systems. :: :: :: :: :: :: :: :: ::

In 1917, the population of Los Angeles was approximately 500,000; in 1922, it had increased to approximately 800,000. In 1917, negotiations were entered into between the city and the Southern California Edison Company for the purchase of the entire electrical distributing system of the Southern California Edison Company and the Pacific Light and Power Company within the limits of Los Angeles.

This deal was not fully consummated until May, 1922, and during that interim 300,000 people moved to Los Angeles.

Because they fully expected to turn over their lines at any time, and because they realized that the city had plans of its own regarding future extensions, only the minimum amount of maintenance work was done upon that electrical system. When the city took over the lines of the Edison Company in 1922, it found itself facing the necessity of consolidating three complete electrical systems into one; it found itself faced with the problem of rebuilding two of those systems, the Pacific Light and Power System and the Edison System, to bring them up to date. Extensions to take care of new people coming at the rate of 100,000 per year were imperative.

There was on hand at the time $1,000,000 of unexpended bond money. This, together with the surplus earned during the year 1922–23, provided funds to carry on, to a limited extent, until the $16,000,000 bond issue was voted in 1924.

The $16,000,000 bond issue provided for the following major items of construction and betterments:

16 substations	$3,000,000
Transmission lines and rights of way	3,500,000
Transportation, warehouses, pole yards and general structures	500,000
Street lighting systems	500,000
Betterments to the overhead and underground distribution systems	4,250,000
Extensions for new business, including addition of Edison System in newly annexed territory	10,000,000

It will be noted that this totals more than $16,000,000. The difference will be made up during the ensuing years from surplus earnings.

ACTIVITY SINCE LAST SEPTEMBER

What has been accomplished since September 1 with moneys made available by the $16,000,000 bond issue?

To date, we have purchased $1,750,000 worth of new material; 1200 employees have been added to the payroll of the bureau of power and light, practically doubling the personnel. More than 2,300,000 pounds of copper wire have been purchased and because ready money was available at the

Ed. Note. This article is based upon an address delivered before the Los Angeles City Club in February.

opportune time, the department was able, through advantageous purchases, to effect a saving of more than $50,000 on the purchase of this wire. 18,000 poles have been purchased in the same period of time, and as in the case of the wire, because of ready money and advantageous purchases, the bureau was able to purchase them at a saving of approximately $50,000.

More than 1,200,000 pounds of the copper wire purchased has already been installed in the system and more than 6,000 of the poles have already been set.

The bureau has purchased the necessary 35,000 volt underground cable, the largest of its kind in the country, for installation between the central receiving station at North Main Street and the Los Angeles River, and Station No. 12 at Fourth and Main, and from there to Station No. 9 at Ninth and Francisco Streets. The installation of this high voltage underground transmission cable will involve an expenditure of more than $500,000 and is necessary because large blocks of power must be brought in to the congested down-town district where tall buildings and traffic prohibit the use of distribution lines or transmission lines strung upon tall poles.

This underground cable has been constructed in accordance with specifications prepared by the bureau's engineers, and is based upon more than four years' successful operation of a similar cable in use in the bureau's system which was the first cable of its kind ever installed and successfully operated in the United States. The bureau, keeping pace with the progress and expansion of the city, in the past six months has installed more than one mile of underground conduit line in the business district for the purpose of removing from the streets overhead poles and wires, thus clearing up the streets where heavy congestion in business districts exists.

The new substation in the Hollywood District has been completed and represents an expenditure of $400,000 for the most modern substation known in the electrical industry to-day. The cost per kilowatt or unit of this substation compares very favorably, and in most instances less, than that in other cities of the United States. The Hollywood district has been changed over as regards the voltage of the supply lines, from 2,200 to 4,400 volts. This has resulted in materially improved service in Hollywood and has eliminated completely the frequent complaints which came formerly from this district.

The basement for Substation No. 5 at Ninth and Mateo Streets has been finished, and construction work is under way upon that station, which is similar to the one in Hollywood, and which will supply the industrial district in the vicinity of Ninth and Santa Fe Avenue.

Property has been purchased for three more of the 16 substations specified in the bond issue.

10,000 new meters have been installed since September 1 and more are being added at the rate of approximately 1500 per month.

UNIT INVESTMENT COST LOW

Since September 1, more than 55 miles of ornamental street lighting systems have been connected up in the City of Los Angeles. It might be of interest to note that one of the large manufacturing concerns has advised us that we are purchasing more equipment for ornamental street lighting systems in Los Angeles than almost the entire remaining portion of the United States put together.

The budget submitted for the $16,000,000 bond issue called for the construction of 40 new feeder or supply circuits; 16 of these circuits have already been constructed. These have a capacity or the ability, to supply and handle more than 1000 horse power of electrical energy each. New warehouses, machine shops garages and pole yards have been constructed, or are under construction now at various points throughout the city. The bureau's budget for operation and construction calls for an expenditure of $9,000,000 for labor and material during the year 1925.

When the $21,000,000 capital expenditure is added to the present capital investment of the distribution system of the bureau of power and light, what will we have for our money? It is easy enough to talk of spending $16,000,000, but unless we get value received for our expenditure, this talk will avail us nothing. Our studies show that with the expenditure or addition of the $16,000,000 to the present capital investment, the distribution system will show a unit cost of $230 per kilowatt of consumer's demand at the central receiving station. This unit cost compares very, very favorably, indeed, with costs of other distribution systems of a like character throughout the country, where the cost at present runs anywhere from $250 to more than $400 per kilowatt of demand.

In 1927, the people of Los Angeles should, and will, have one of the most modern, efficient and complete electrical distributing systems anywhere in the country, and at a cost per unit much lower than any other system in the country. A record to be proud of and one in keeping with the progress, prosperity and foresightedness of the citizens of Los Angeles.

We will have a complete electrical distribution system capable of distributing 250,000 kilowatts of electricity. The generating system will be capable of supplying not over one-half of this unless immediate steps are taken to provide additional sources of power. At the present time the bureau is generating two-thirds of the energy being distributed and purchasing the other one-third, and it is paying at wholesale prices as much for the other one-third as it costs to generate the two-thirds in its own plants.

If Los Angeles is to move forward and to keep pace with its possibilities, it must have a complete electrical system from the generating sources to the consumer's meters, and immediate steps should be and must be taken to provide this additional source of power.

CHIEF ELEMENTS OF CONTROVERSY IN PUBLIC UTILITY RATE MAKING

II. DEPRECIATION AS A DEDUCTION IN VALUATION

BY JOHN BAUER

Public Utility Consultant, New York City

In the preceding analysis, depreciation was treated from the standpoint of determining the cost of service. We shall now consider depreciation in relation to investment or the determination of "fair value" for rate-making purposes. The total cost of service includes interest or return upon investment. Our problem, therefore, is to determine at any point the amount of the investment entitled to a return in rate making.

If the accounts throughout have been systematically kept on the cost basis the property accounts have been charged with the cost of all new units installed, and the depreciation reserve has been credited with all of the amounts included in the cost of service for depreciation. As property was abandoned and retired from service, its original cost was taken out of the property account and deducted from the depreciation reserve. Consequently, at any given time the net investment consists of the original cost of all the properties in service as shown by the property accounts, less the amount of the depreciation reserve applicable to those properties.

The depreciation reserve at any moment shows the extent to which the original cost of the properties then in service has already been charged to past cost of operation. The difference between the original cost of the properties and the reserves is the amount of such original cost applicable to future operation. This balance is the net investment in the properties on which a return would be based for the full determination of the cost of service.

NO CONFISCATION INVOLVED

Frequently the charge is made that deducting the depreciation reserve from the cost of the properties results in confiscation of the investment. This claim, however, is based upon an erroneous conception of what actually takes place in carrying out the cost apportionment through the depreciation charges. It overlooks the fact that the very charge for depreciation each year places so much of the burden upon the consumers and directly reimburses the company for the amount of the charge. This is then automatically locked up in the business and serves immediately to renew the amount of the property consumed in service and charged to the cost of operation.

If this procedure is clearly visualized, we see that there can be no confiscation of investment. As the costs are charged to expenses, they are forthwith made good through the rates paid by the consumers and through funds actually retained in the business. While the addition to the reserve shows so much of a decrease in the then existing property investment, this is immediately and automatically counterbalanced by the funds added to the business through the depreciation charge and the payment of the rates based on the charge.

For illustration: Assume that $100,000 has been invested in properties and that 5 per cent of the cost is charged to depreciation for the first year of operation. To correspond with this charge, we have a depreciation reserve which means a deduction of $5,000 from the $100,000 property cost, leaving a net investment of $95,000 applicable to future operation. But simultaneously, the depreciation charge which is carried to the reserve retains in the business $5,000 of current revenue funds which otherwise would have been shown as return. This $5,000 is thus added to the permanent assets of the company and counterbalances forthwith the reduction in the net physical property items. It furnishes the direct renewal or replacement of the depreciation. At the end of the year, therefore, the company has $95,000 of net property, plus $5,000 current funds to be used for the financial benefit of the service, and the total net investment remains at $100,000 as at the beginning of the year.

The course of depreciation charges with the reserves deducted from the property costs does not and cannot result in confiscation. But it does provide for the full and immediate maintenance of the investment so as to prevent any dissipation and to provide for the regular and constant renewal of impaired property items.

SYSTEMATIC COST ACCOUNTING NOT USUALLY MAINTAINED

Once more let us re-state that where scientific accounting has been followed, the net investment entitled to return is equal to the original cost of all the properties and assets in service, less the depreciation reserve. The latter indicates the amount of the original cost already charged to past operation, and the net shows the amount applicable to future operation. This is the investment entitled to a return.

Unfortunately, however, in perhaps the great majority of cases no such systematic cost accounting has been maintained. Both the charges to property accounts and to operating expenses are unreliable, without any clear relation to cost. Consequently, in practical rate making the problem is to determine the amount of the investment in the absence of reliable cost accounting figures.

In all such cases where the investment is not shown by the accounts, an appraisal is necessary. If an inventory is made of all the properties and the items are priced at the estimated original cost of installation, and if then the depreciation is computed and deducted from the total original cost, we have a direct substitute figure for the investment that would have been shown under proper accounting. An appraisal, therefore, on the basis of the original cost of the properties less estimated depreciation, gives the equivalent net investment on which a return would be allowed under a consistent cost basis of rate making. The amount deducted for depreciation would include an equivalent sum for all property costs properly charged to past cost of service and not to be placed as a burden upon future consumers.

EQUALITY OF TREATMENT

The valuation of properties on the basis of original cost less depreciation, is not offered because of its technical nicety in substituting the amount for net investment that would have been shown under scientific accounting.

This method of appraisal, particularly the deduction for depreciation, is offered on the basis of its own inherent reasonableness. In view of the great increase in price level during the past ten years, there is a question of justice whether the inventory should be priced in the first instance at original cost or should make some allowance for reproduction cost; this will be treated in a later paper. But the deduction for depreciation corresponds with the common sense of dealing with plant and equipment realties. If it were not made, all properties would be regarded as of equal importance in the valuation, whether brand new and in every way suitable for operation, or old and on the point of discard. Property does depreciate, because of wear and tear, obsolescence and inadequacy. Old plant and equipment notwithstanding their immediate usefulness, are not as serviceable as new facilities just installed, not worn, and fully meeting the up-to-date requirements of service. The depreciation deduction in the appraisal serves to place all properties on an equal footing. As old units are not on a par of complete serviceability with the new, the difference is represented by the depreciation deduction.

Take two units, one new with full serviceability, the other old with greatly reduced serviceability. Equality in the appraisal is obtained if the full cost of the first is recognized, and if a deduction for depreciation is made for the second equivalent to the relatively reduced serviceability for future operation.

As a matter of practical procedure, it would be absurd, in the case of a power plant, to appraise on equal footing at cost new, modern units of 30,000 or 60,000 kw. capacity with full serviceability, and old units of 5,000 kw. capacity which are used only as reserve equipment and not for the regular load of the plant. Likewise, it would be absurd to treat new cars meeting all present-day transportation requirements, equally with old cars regardless of the wear and tear, inadequacy and other unsuitability to future needs of transportation. Anyone acquainted with utility properties knows that there is the greatest diversity of condition between the different classes and units of plant and equipment. It is these variations that are taken into account by the depreciation deduction, which represents costs belonging to past operation and places old property on par with new in determining present investment and fixing the cost for future operation and ratemaking.

IS THE RESERVE NEEDED ?

The objection is often made that the depreciation reserve may reach 30 to 40 per cent of the original cost of the properties and is not needed; consequently, why should it be accumulated?

This question is usually offered as a solar plexus to the depreciation view. But the blow does not connect. It is wasted in the shadow of confusion as to what actually is involved in the depreciation procedure. The reserve is a mere statistical and accounting measurement as to the extent that existing property costs have been or should have been written off to the past cost of operation. It is needed for the purpose of this record and nothing more. This is its sole function.

The question shows a confusion of the reserve with the funds that are simultaneously locked up, as previously explained, through the depreciation process. These funds, however, as retained from revenues are needed and are used for the regular financial benefit of the properties. They serve directly for physical replacements, for additions and improvements, for working capital, or for other benefits of the properties. There can be no question of their being needed to conserve fully the investment, to maintain the proper standards of service for the consumers, and to equalize the cost of service charged to different generations of consumers.

RULE OF REASON

In any practical appraisal, however, we must recognize that rules of thumb cannot be blindly applied. A careful investigation of the properties must be made, and the depreciation deduction should be determined according to the facts that are found.

We have in mind especially that the so-called straight-life method of computing depreciation should not be followed with an arbitrary rigidity, or in individual cases it may lead to wrong and unjust results. If, say, for power plant equipment an average economic life of twenty years is found to be generally correct, this may not apply to the conditions of a particular property where given units may be fifteen years old and yet have much greater serviceability than the indicated five remaining years; or considerably less. Similarly, carefully estimated life for any class of property does not apply to all cases, and the particular considerations in each instance must control in computing the depreciation deduction.

The rule of reason, or common sense, must be employed in estimating the past accrued depreciation of existing properties. A reasonable and justifiable amount should be determined. The deduction then eliminates the costs that properly belong to past operation and leaves the net investment applicable to future purposes. To such a deduction there can be no reasonable and valid objection, if we assume that rate making should be based upon the cost of service.

STATUS OF ZONING IN NEW JERSEY

BY PAUL STUDENSKY

Director of Research, New Jersey State Chamber of Commerce

The legality of zoning has been questioned in New Jersey, but it was improper zoning which was condemned, and enlightened cities are proceeding under a new act. :: :: :: :: :: :: ::

THERE has been a growing appreciation in New Jersey in recent years of the need of zoning the cities and towns so as to segregate business structures from residences, control the height of buildings and otherwise regulate the use of land so as to promote the health, safety and general welfare of the people. A series of laws have been enacted since 1918 permitting such zoning by means of municipal ordinances. Over sixty municipalities have enacted ordinances under this law to date, so that to-day New Jersey leads the country in the number of municipalities zoned.

NUTLEY CASE DISCOURAGED SOME

The courts sustained the provisions of the zoning ordinances in most of the cases in which they were attacked such as cases involving the exclusion of garages from residential districts. But about a year ago a case occurred in which a reverse decision was rendered.

This was the now famous Nutley case [1] in which the right of the municipality to prohibit the erection of a grocery in a district designated as residential was challenged. It was felt by many friends of zoning that this case was not representative of good zoning inasmuch as the store in question would have been located a considerable distance away from the nearest habitation; that the arguments and evidence submitted in the case by the defense were far from convincing; and that it was consequently not at all surprising that an unfavorable decision in the instance should have been rendered. Realizing, however, that the adverse decision was likely to hurt the cause of zoning in the state, the New Jersey State Chamber of Commerce joined with the State League of Municipalities in the submission of briefs as *amici curiae* to the court of last resort appealing the decision. Frank H. Sommer, dean of New York University Law School, submitted the brief on behalf of the State Chamber and several associated local chambers of commerce, and Spaulding Frazer submitted one on behalf of the League of Municipalities. The court of errors sustained the decision of the lower court, but it did so on the ground that the zoning ordinance of Nutley went beyond the powers granted by the law. It did not pass on the constitutional question which the lower court raised and decided adversely. The constitutionality of the law (or rather provision of it which was attacked) remained, therefore, unimpaired—a fact which caused those who intervened to rejoice.

In examining the reasons for the Nutley decision, the advocates of zoning reached the conclusion that the law itself was to some extent at fault in the matter. At the time it was enacted relatively little experience was available. Consequently the law was not as satisfactory and comprehensive as it should have been. It failed to provide the machinery for an effective review of the acts of the officials enforcing the ordinances. Steps were taken to cure this defect. The old law was repealed and a new one enacted in its place which embodied the results of the experience and researches in the field of zoning and the country over for the past several years.[2] This law provided for the establishment of boards of adjustment to which property owners complaining of the acts of building inspectors could submit their cases for adjustment and review. These boards were given the power to modify the application of an ordinance wherever peculiar circumstances arise which make the enforcement of the letter of the ordinance difficult.

All that is required of them in such cases is to preserve the spirit of the ordinance. This gives them considerable latitude and makes the ordinance elastic. If the property owner is still dissatisfied, after the board has rendered its decision, he can appeal to the court for a writ of certiorari that would compel the board to show why it has rendered the decision and would bring the case under review. The court may modify or set aside the decision of the board giving it an opportunity to make another readjustment or render another decision. This procedure is very different from the one pursued under the old law. There the appeal was made for a writ of mandamus that would compel the city to issue the permit applied for; and the legality of the ordinance or constitutionality of the law, rather than the justice of the acts of the officials, was challenged. No leeway was given to the city to tackle the case again and make another adjustment.

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[1] See NATIONAL MUNICIPAL REVIEW for August, 1924, p. 457.

[2] The so-called "Model Zoning Act," described and annotated by Mr. Edward M. Bassett in the pamphlet on "Zoning Practice" issued by the Regional Plan of New York.

Most of the municipalities availed themselves of the new law, amended the ordinances establishing these boards and went ahead with zoning on the new and better basis. Some of the municipalities, however, interpreted the Nutley decision in the sense that it invalidated zoning, and ceased to proceed with their zoning plans.

The fact that following the Nutley case, the zoning ordinances were attacked in several cities and the plaintiffs there secured the permits, at the order of the courts, despite the ordinance, added to their consternation. In order to consolidate the defense of zoning and encourage the faltering municipalities to go ahead, the State League of Municipalities, at the suggestion of Herbert Swan, undertook to create a legal department to be jointly supported by the municipalities which could act for them in all zoning litigation.

GOVERNOR SILZER'S ATTITUDE

Governor Silzer took a hand in the situation. Following a conference with the judges held last January in order to determine their views, he sent a message to the legislature coming out strongly in favor of zoning and suggesting an amendment of the state constitution specifically permitting zoning and the enactment of a law that would permit property owners who felt themselves injured by a zoning ordinance to sue the municipality for damages. The Governor's message was in part as follows:

> Our unfortunate experience has been that after attractive suburban communities have been established, manufacture and business, pushing their way out of the more thickly populated centers, constantly encroach upon these attractive suburban communities, with the result that the communities are destroyed for suburban purposes, and those seeking the comforts of suburban life are being driven farther and farther away from the place of their daily occupations and subjected to the additional inconvenience of travel.
>
> I do not believe that we can longer afford to neglect this condition. Our experience up to this time has shown us that many who would be most desirable citizens would erect handsome homes and establish themselves in our communities have been driven from here into other states because of our failure to provide proper zoning restrictions as well as proper transit facilities.
>
> Many of them have gone to New York, where protection is given them by zoning laws and where they are assured that, once having erected a handsome home in a suburban community, the character of that community will not change.
>
> In this way we have been deprived not only of those who would have added to the quality of our citizenship, but also a large amount of ratables as well.
>
> I believe that our failure to meet the requirements has been of real damage to the state and that it is going to be of lasting and permanent injury if we do not act soon.
>
> It is easily possible to provide for business and manufacture and for residential requirements as well. The whole character and type of our communities within easy reach of the large cities will be determined beyond possibility of change if we do not act soon. The experience of other states has been that they must provide for both manufacture and business on the one hand and comfortable suburban residential life on the other. A little more delay and the matter will not be possible.
>
> I cannot emphasize too strongly what this would mean to the state and the natural exodus from the state to other places if we continue our present policy.

The State Chamber of Commerce called a conference of all the agencies interested in the subject for March 10, 1925, in Trenton to consider the ways and means of strengthening the zoning movement in the state. The Trenton Chamber of Commerce co-operated in the arrangements. About 150 citizens, representatives of municipalities or chambers of commerce, attended.

Lawson Purdy, for fifteen years president of the New York City Board of Taxation and vice-chairman of the zoning commission that drew New York city's zoning ordinance, spoke on the protection of property through zoning. Mr. Purdy emphasized that it was every man's privilege to use and enjoy his property in every way, provided that he does not interfere with his neighbor's enjoying similar privileges. Just as the congestion of traffic requires its regulation so that every vehicle or person should have a right of way so today does, in his judgment, the congestion of business and habitation require the regulation of the use of property.

Zoning, he said, is a part of city planning, the difference between the two being that whereas the latter is public regulation of the use of public and private land, the former is public regulation of the use of private land only. Zoning must always be so directed as to enhance the value of land and conserve the value of buildings. This principle was incorporated in the charter of the city of New York. Private covenants endeavor to do that, he said, but they are dangerous in that they may run so long as to outlive the conditions which call for them or so short as to expire when these conditions still continue.

J. David Stern, editor and publisher of the Camden *Daily Courier*, urged a campaign of education that would make zoning understood by the man on the street. Graphic illustrations by means of pictures and models showing the difference between cities that are zoned and those that are not, according to Mr. Stern, would bring the advantages of zoning home to the people sooner than any other method.

ZONING STILL CONSTITUTIONAL

Spaulding Frazer, chairman of the zoning committee of the League of Municipalities, spoke on the erroneous impression which some people had gained that zoning was dead in New Jersey because of the Nutley decision. The constitutional status of zoning, he said, has in no way been impaired by the decision. It has been strengthened by the new law. F. W. Carstarphen, chairman of the Trenton zoning commission, made the point that the rights of property just as the rights of liberty are not absolute but are regulated by law and that the value of the zoning ordinances is that it clearly declares what the property rights of the citizens are.

Edward M. Bassett, former chairman of the New York city zoning commission, compared the boards of adjustment provided by the new law to the boards of assessment. If a property owner feels that the assessment made by the assessor is wrong, said Mr. Bassett, he does not appeal to the court for the protection of his constitutional rights but takes the matter up with the board of assessment. If he did otherwise and made such an appeal, the court would dismiss it and direct him to take the matter up with the board. Similarly under the procedure provided by the zoning law, the court would refer the appeals from the acts of a building inspector to the board of adjustment recognizing that the city does not want to do injustice to any property owner but wants to be reasonable and fair. The trouble under the old law in the Nutley case in his opinion was that the city had the power of issuing a blank prohibition without the power to adjust the case in accordance with the rules of reason. Mr. Bassett emphasized the difference between private restrictions which are covenants made by contract and zoning. Anything, he said, can go into the private covenants, but only such restrictions as are for the benefit of the entire community can go into a zoning ordinance. The two belong to different spheres of action. Each has its own legal method.

All the speakers spoke in opposition to the proposal to permit suits for damages on account of a zoning ordinance. The proposal, it was said, is based upon a wrong presumption that zoning can damage property. If it does that, it was said, then it is not good zoning. Zoning properly conceived and carried out benefits all property owners. Assemblyman Black, the introducer of the bill which incorporates this proposal, declared that the criticisms advanced against it have convinced him that the measure is unwise and announced that he will not press it for passage in the legislature.

AMENDMENT DEEMED UNNECESSARY BY MANY

On the question of a constitutional amendment a difference of opinion developed, some of the speakers considering it unnecessary until such time at least as the courts have definitely declared zoning outside the police power of the state. The agitation for such an amendment in their opinion would be equivalent to an admission that zoning has no constitutional status in the state and would tend to discourage the municipalities to carry it on with the result that the orderly development of the communities and the protection of property would suffer. Zoning would still be left open to attack under the Federal Constitution. Others urged it on the ground that it would definitely settle the legal status of zoning.

A resolution introduced by Frank H. Sommer, chairman of the committee on Regional Co-operation of the State Chamber was adopted, which was as follows:

1. That we declare our conviction that the comprehensive zoning of our municipalities is essential to their orderly development.

2. That in our judgment the existing statute of this state provides for comprehensive zoning with adequate safeguards against arbitrary exercise of the powers thereby conferred, and that we urge on our municipalities that they promptly bring their zoning ordinances into accord with this statute.

3. That we believe that the provisions of this statute are, in fact, directly and immediately related to the public health, safety, morals and the public welfare.

4. That we do not favor suggested legislation which carries a tacit admission that comprehensive zoning lies beyond the police power of the state, and provides for the making of compensation by municipalities adopting zoning ordinances to the owners of lands affected.

5. That in our judgment the enactment of the suggested legislation providing for compensation will stay temporarily, and perhaps permanently, the progress of the zoning of our municipalities, and so delay indefinitely the meeting of public needs that are greatly and immediately pressing.

6. That we refer to the board of trustees of the New Jersey State Chamber of Commerce the question as to the merits of the proposal that the constitution of the state be amended with reference to zoning, in view of the apparent difference of opinion on that question.

7. That we endorse the proposal of the League of Municipalities to create a legal department to be maintained jointly by the municipalities members of the League, devoted to the defense of the zoning act, in order that action shall be consistent and guided by special study.

8. That we urge the State Chamber of Commerce, the local chambers of commerce, and the State League of Municipalities to join to bring together the facts demonstrating the relation of comprehensive zoning to public life, health, morals and the public welfare, and that comprehensive zoning does not take private property for public use, but provides against abuse and falls within the police power of the state.

9. That we urge upon these bodies joint action in an educational campaign to reinforce and strengthen public opinion as to the fundamental basis upon which zoning rests and the public object which is its end.

The amendment of the state constitution with reference to zoning was passed by the legislature and will have to be acted on again next session before it is submitted to the people for a vote.

ENCOURAGING DEVELOPMENTS

A tendency has been evident recently on the part of the officials vested with the administration of zoning to handle the cases, in which an ordinance is attacked, much more carefully in their initial stages than ever before. It is being recognized that the initial handling very largely determines the whole future course of the case. Thus in Montclair and Newark in two recent cases, the board of adjustment took exhaustive evidence as to whether the refusal of the city in that instance to issue the permit is really necessary from the point of view of health, safety and general welfare of the people. Fire insurance experts, the chiefs of the fire, health and police departments, the engineers of the water, sewer and street cleaning departments and others were made to testify. Thus a strong case was built up from the very foundation. Should these cases be appealed by the property owners, the courts would have before them very substantial evidence in support of the cities. Heretofore, generally, attempts to introduce evidence have been postponed until the case has gone to the courts on appeal from the action of the city, when it is not easy to build up a record.

A very encouraging decision was rendered recently in a Newark case, in which a realtor who was refused by the building inspector a permit for the construction of a group of garages appealed to the supreme court, disregarding the existence of the board of adjustment. The court refused his application pointing out the existence of a board of adjustment and the provision of the law requiring that appeals must first be submitted to it and saying that the "realtor must exhaust the remedy through such agencies as the legislature has set up for that purpose before applying for the allowance of the discretionary writ of this court." Thus the board was recognized and given a legal status of adjustment and the procedure provided by the new law was validated by the court.

It is felt by many that what is needed most at the present juncture is the confidence of the people in the soundness and justice of zoning. The legal difficulties must not be permitted to loom too prominently in the situation. They will wane.

THE DEMOCRATIC PARTY IN PHILADELPHIA

A STUDY IN POLITICAL PATHOLOGY

BY AUSTIN F. MACDONALD
University of Pennsylvania

The members of the Philadelphia council are all Republicans. There isn't a Democrat among them. :: :: :: :: :: ::

In the Ohio town of Brand Whitlock's boyhood memories there lived a solemn gentleman who always walked slowly and with bowed head. Whitlock records that this man puzzled and disturbed him. What deep sorrow, he wondered, caused this melancholy? But one day he learned the awful truth; the fellow was a Democrat! The mystery was solved to young Whitlock's complete satisfaction. He had never seen a Democrat before, but he felt sure that they all must walk with bowed heads, conscious of their lack of communion with the rest of mankind.

Much the same situation prevails in Philadelphia to-day. There are some Democrats, of course, but so few that they count for nothing on election day. The Republican organization dominates Quaker City politics. In the fall of 1924, preceding the presidential election, about 38,000 men and women registered as Democrats. This figure, it is true, fails to reveal the entire strength of the Democratic party. Many failed to register. Some transferred their allegiance temporarily to Senator La Follette. But many Republicans also stayed at home or joined hands with the third party, and yet nearly 430,000 voters registered as members of the Republican party. At the following election six times as many votes were cast for Coolidge as for Davis, the Republicans carrying every one of the city's forty-eight wards for the first time in a presidential election since 1872. Even the Sixth Ward, the last stronghold of the Democrats, swung into the G. O. P. column. So dominant is the position of the Republican organization that it could foster a third party at almost any municipal election and safely transfer to it enough votes to make it the party of the opposition.

DEMOCRATS ONCE HAD A CHANCE

The Democrats have not always been a hopeless minority in Philadelphia politics. In fact, a delegate to the Pennsylvania constitutional convention of 1872–73 declared: "We have in the city of Philadelphia the two great political parties as nearly equally divided as parties ever have been in a community of an equal number of voters." When Andrew Curtin was elected the first Republican governor of Pennsylvania in 1860 his Democratic opponent carried the Quaker City with a plurality of two thousand votes. The next year, however, the Republicans elected the mayor for the first time in the city's history. Public opinion strongly favored the war, and the Irish-controlled Democratic machine strenuously opposed it. From that time on the Democrats of Philadelphia were usually fighting a losing battle, though never without some hope of victory. They elected the mayor in 1868, and again in 1881. In 1882 and also in 1890 Robert Pattison, a Democrat, was chosen governor of the state, though the city went Republican at both elections. Republican victories were the rule, but by small pluralities. After 1890, however, the deterioration of the Democratic party became rapid. The Democrats carried ten wards in 1890, and one ward in 1894. In the mayoralty election of 1891 they captured eight wards, and only two four years later.

The presidential elections of the period served to emphasize the Democratic collapse, the number of their wards shrinking from eight in 1892 to one in 1896. So clearly was the tide turning against them that many of the Democratic leaders in each ward met in clubs and saloons and voted upon the question of becoming Republicans. Most of them favored the change, and thereupon shifted their allegiance. But there were a few, of course, who refused to leave the Democratic fold, among them Tommy Ryan, the leader of the Sixth Ward. Ryan was a likable fellow, who knew his friends and stood by them. He agreed to give the support of his ward to the Republican organization at crucial times in exchange for political immunity, and so a tacit alliance was formed between the Sixth Ward Democrats under Ryan's leadership and the Republicans of the remainder of the city. During the last thirty years the Democrats have seldom captured more than this one ward at any election, and occasionally even it has been found in the Republican column, as it was in 1924.

CAUSES OF DEMOCRATIC ECLIPSE

The reasons for this decadence are difficult, if not impossible, to determine. There are only one or two other large cities in the United States where a single party so completely controls the government. In many of the largest cities the Democrats have a substantial working majority. Camden, just across the river from Philadelphia, can usually be depended upon to produce a substantial Democratic majority. Philadelphia manufacturers are doubtless interested in the maintenance of a high protective tariff, but no more so than the manufacturers of Democratic Boston. Religion seems to have nothing to do with the matter. If we assume a tacit alliance between the Democratic party and the Roman Catholic church, we should expect to find the cities with the smallest percentages of Catholics most completely under Republican control. But such is not the case. Philadelphia has a smaller percentage of Catholics than most of the large cities, while Boston has about the largest. But New York city, where Tammany holds sway, has a very much smaller percentage of Roman Catholics than Philadelphia—smaller, in fact, than any other large city in the United States.

When we turn to a consideration of the foreign-born, we have less difficulty in establishing some sort of relationship. The cities with the lowest percentages of aliens—St. Louis, Cincinnati, Baltimore, Los Angeles and Philadelphia—are all Republican, with the single exception of Baltimore, a Southern city; while those with the highest—New York and Boston—are Democratic. Chicago, with a Democratic mayor and a strong Democratic organization, has a large number of foreigners. But so has Cleveland, which is normally Republican. Cleveland's case may possibly be explained on the basis of the countries of birth of her foreign population. With almost exactly the same number of aliens as Boston, she has four times as many

Germans and less than one-sixth the number of Irish. And the Germans affiliate themselves with the Republican party almost as readily as the Irish become loyal Democrats. In Philadelphia the Russians predominate, with the Irish and Italians not far behind. It may be, therefore, that a relatively small foreign population, of which the Irish constitute less than one-sixth, is one element making for Republican supremacy in the Quaker City.

Another factor may be the relatively large number of negroes. Philadelphia has a higher percentage of negroes than any of the largest cities except St. Louis, which is also Republican, and Baltimore, which owes its political affiliations to its location; while Democratic New York and Boston have small colored populations. But the influence of the negroes on Philadelphia politics must not be overemphasized, for they constitute only seven per cent of the city's population. Race, color, and, to a lesser extent, creed may each play a part in determining the relative strength of the major parties in Philadelphia, but the chief causes are probably so complex and so little understood as to defy accurate analysis.

MINORITY PATRONAGE

The loss in power and prestige of the Democratic organization in Philadelphia has become so marked in recent years that one almost wonders why it continues to exist. Indeed, its chief raison d'être seems to be the minority patronage, which now amounts to $276,000 but will soon be cut to less than half that sum under the operation of a 1921 law. The constitution and statutes of Pennsylvania practically guarantee to the Democratic party a number of elective and appointive offices. Of these, the most important is that of county commissioner. The constitution of the state, in providing for the election of three county commissioners, stipulates that "in the election of said officers, each qualified elector shall vote for no more than two persons, and the three persons having the highest number of votes shall be elected." The obvious purpose of this provision is to insure representation of the minority party. When several clauses of this nature were first proposed in the constitutional convention of 1872–73, they precipitated a heated debate. One opponent denounced them as "a device of the minority to gain power," while another expressed his belief that they were "an attack upon the freedom and equality of the ballot, and calculated insidiously to undermine the foundations of freedom." But these statements evidently carried little weight, for the principle of minority representation was written into the supreme law of Pennsylvania. One advocate of the system urged its adoption as a means of eliminating partisan bitterness. The parties would have less reason to practice unfair methods since their nominees would be certain of election. The offices would thus be filled by appointees of the party leaders; but this, he naïvely explained, was no objection, since the people would have no real choice in the matter under any system.

The Democrats are assured of about one-third of Philadelphia's twenty-eight magistrates by the act of 1875. These offices are filled by popular vote, "and in the election of said magistrates no voter shall vote for more than two-thirds of the number of persons to be elected." The remaining offices in which minority representation is guaranteed are filled by appointment. There are two Democrats on the registration commission appointed by the governor. This commission is composed of five members, "not more than three of whom shall belong to the same political party." Among its other duties is the appointment of nearly 6,000 registrars to conduct the actual work of registering the voters of the city. Four of these registrars are selected for each election division, at least two of them from "the party polling the highest vote within the election district at the last preceding November election," and one, at least, from "the party polling the next highest number of votes at said election." This requirement operated in 1924 to secure the appointment of 44 per cent of the total number of registrars from the membership of the Democratic party.

A 1903 law dealing with the appointment of real estate assessors prohibited the selection of more than half of the total number from the majority party, thus guaranteeing to the Democrats an equal share in the spoils. Assessors are still chosen in Philadelphia from partisan considerations without a merit test of any kind; and as the salary of a real estate assessor is $4,000 these positions are rich political plums to be distributed among the faithful. The 1903 statute passed both houses of the state legislature without debate by overwhelming votes. In 1921 it was so amended as to give the dominant party a free hand in selecting assessors. "Said appointments shall be made by said board without regard to the political party affiliations of such assessors." This withdrawal of minority patronage occasioned as little comment in the legislature as its award had done eighteen years previously, and passed both houses with equally large majorities. The assessors now in office have not yet been affected by the new law, as they were appointed in 1921 for four-year terms.

The minority patronage in Philadelphia, presented in tabular form, is therefore as shown below.

MAJORITY REALLY CONTROLS MINORITY PATRONAGE

The practical effect of the constitutional and statutory provisions for minority representation is to place the choice of the minority members directly in the hands of the dominant Republican organization. Two members of the registration commission, for example, must be Democrats. But they are appointed by a Republican governor, and it is scarcely necessary to point out that they must be acceptable to the Republican interests. The Republicans also control the choice of the elected Democrats. If there is any sort of contest within the Democratic ranks for nomination, a few Republicans registered as Democrats are able to swing the nomination to the candi-

Office	Number of Minority Representatives	Compensation per Person	Total Compensation
County Commissioner............	1	$8,000.00	$8,000.00
Registration Commissioner........	2	4,000.00	8,000.00
Magistrate......................	8	4,000.00	32,000.00
Real Estate Assessor.............	38	4,000.00	152,000.00
Registrar........................	2,627	$10.00 per diem	76,428.00
Total......................			$276,428.00

date of their choice without impairing to any extent the Republican strength at the polls. The Republican party is so strong in Philadelphia, moreover, that even when the Democrats are united on a single candidate for a minority office the Republicans are able to elect the majority members and still have enough voting strength remaining to defeat the real Democratic minority candidate.

This has happened on several occasions. A single instance will suffice. In the municipal election of 1923 three county commissioners were to be chosen by the people, each elector casting his vote for but two candidates. The Republicans were to nominate two candidates, it being a foregone conclusion that they would be elected; and the Democrats, two candidates, one for election and one for defeat. One of the two Democratic nominees was then county commissioner, running for re-election. The true Democratic strength at the election was less than 40,000 votes. Only 37,000 persons voted for the Democratic mayoralty candidate, and this was in excess of the number registered as Democrats prior to the election. By a determined effort, however, the Democrats managed to roll up a total of 44,000 for their nominee then representing the minority on the county commission. But when the votes were counted it was found that he had been overwhelmingly defeated by his running mate, who received in excess of 83,000. The only possible explanation of this surprising result is that the Republican organization, for reasons best known to itself, shifted more than 40,000 votes from one of its own candidates to the Democrat it favored.

PARTY ORGANIZATION

The organization of the Democratic party in Philadelphia is quite simple. In each of the city's forty-eight wards is a ward executive committee, chosen by the Democratic voters for a two-year period. Ward committeemen are elected at the spring primary in the even-numbered years. The committee is composed of two members from each election division within the ward, with an additional representative from each election division which cast more than one hundred Democratic votes for president at the preceding election. No division may have more than three representatives, regardless of its vote.

This arrangement results in gross inequalities for a number of reasons. In the first place, it allows no more representation to the division with five hundred Democratic voters than to the division with one hundred and one. Then, too, it takes no account of the great variation among the wards as to the number of election divisions contained. In the Sixth Ward there are nine divisions; the Twenty-Second Ward contains eighty-two. This fact produces unbalanced representation on the city executive committee, as we shall see later. Another weakness arises from the great differences in population of the divisions. One Philadelphia election division has 28 persons according to the latest assessment; another has nearly 2,000. But the division is the election unit without regard to the number of people it contains and with but slight recognition of their political affiliations. The result is that two members of a ward committee may represent four or five Democratic voters, while three others may represent several hundred. Unfair as this method undoubtedly is, it is more equitable than the arrangement used by the Republican party.

The ward committee organizes as soon as possible after its election, choosing its chairman and other officers. It meets regularly at least once a month, and much more frequently shortly before an election. To it falls the task of maintaining the interest of the voters, of seeing that they are properly registered, and of getting them to the polls on election day. From time to time a canvass of the district is made. Watchers are chosen to safeguard Democratic interests at the polls. Everything is done, in the words of the "Rules of the Democratic Party of the City and County of Philadelphia," with "reference to securing a full expression of the will of said Democratic electors at all the general, municipal, primary and special elections."

The members of each ward committee choose from within or without their number one representative to the city executive committee. Each ward polling 1,500 or more Democratic votes at the preceding presidential election is entitled to an additional representative, similarly chosen, the total possible number for any ward being two. This arrangement produces inequalities as striking as are found in the election of the ward committeemen. The number of election divisions within a ward varies greatly, as indicated above, while the population ranges from less than 4,000 in the Ninth Ward to more than 82,000 in the Thirty-Ninth. At present the city executive committee is composed of 73 members, but the committee to be chosen this spring will be smaller, because the candidacy of Senator La Follette in 1924 caused a considerable reduction in the number of wards polling more than 1,500 Democratic votes.

The city committee exercises general supervision over the affairs of the Democratic party in Philadelphia. The funds contributed to the Democratic cause pass through the hands of its treasurer. The party campaigns are planned by its members. Close watch is kept over the operations of the ward committees, and stimulation provided when necessary. The work of the city committee is divided among five standing sub-committees: organization, finance, printing, public meetings, and elections. Each sub-committee has sixteen members except that on organization; it has twenty-five. A few members each serve on two or three sub-committees, but most of them are assigned only to one. The ward committees possess the right to recall their representatives on the city committee at any time by a two-thirds vote. On the other hand, a majority of the city executive committee may declare vacant any place in their membership when convinced that any "ward executive committee, or any of the officers thereof, or any [city] committeeman thereof, is not faithful to Democratic principles, and the best interests of the party, or refuses, fails or neglects to work in harmony with them".

The chairman of the city executive committee, chosen by its members, is the official head of the Democratic party in Philadelphia. He presides over the meetings of the committee, appoints all sub-committees, acts as chairman of the sub-committee on organization, and is an ex-officio member of all other sub-committees. The present chairman is the minority member of the board of county commissioners, and therefore holds the best-paid office in Philadelphia's government guaranteed to the minority party. The Democratic city committee cannot by any stretch of the imagination be called a group of civic leaders. Professional men—if we except professional politicians—are few, and prominent business men are still fewer. About one-third are mechanics, clerks or laborers, the laborers predominating. Twenty-seven are on the payrolls of the city or the county, nine of them as real estate assessors, seven as magistrates, five in the office of the county commissioners, and the remainder as minor employees of the courts. The number of the faithful thus rewarded is not greater because of the weakness of the Democratic party. The city committee has three practicing attorneys in its membership. There are six real estate men, one manufacturer, one undertaker, two salesmen, two contractors, one printer and one retail shopkeeper. Two are employed in the internal revenue office of the Federal government, one is a retired sea captain, and two have no visible means of support. This list is not very impressive. It tends to reveal a lack of any real leadership. But the city committee is representative, and that is probably its sole justification. It comes close to being an accurate cross-section of the rank and file of Philadelphians—and, therefore, of Philadelphia Democrats.

The overwhelmingly dominant position of the Republican party is unfortunate for the Quaker City, for it makes effective criticism almost impossible. One of the best guarantees of honest and efficient government is an alert, intelligent opposition ready at any time to take the helm, and not unlikely to do so. But the party of the opposition in Philadelphia is as nearly dead as it is possible for any organization to be without inviting an inquest. Those interested in better government must therefore create and maintain their own organization if they wish to carry to the polls the fight on the Machine. This they have done on many occasions, and sometimes they have secured control of the government. But their organization built to win an election has not been adjusted to the problem of maintaining discipline within its ranks; and so the election following a reform triumph has invariably been the occasion of a return to power by the Machine. This condition of affairs may reasonably be expected to continue until one party ceases continually to dominate Philadelphia politics.

CO-ORDINATION OF SOCIAL WORK IN KNOXVILLE

BY ELIZABETH SIMS BROWNLOW

Knoxville, Tennessee

The city's department of public welfare takes the lead. This is the second article in our series on how responsibility for social work is divided between governmental and private agencies. :: :: ::

UNDER the council-manager form of government, social work in Knoxville is being co-ordinated under the leadership of a governmental agency—the department of public welfare.

An interesting situation is presented, since the usual order is reversed, and instead of trained social workers in private agencies trying to persuade reluctant city officials to adopt, or at least to recognize, standards of work and service, there is a department of the municipal government endeavoring to raise the standards in all fields of social work, both for public and private agencies.

This leadership is supplied by the director of public welfare, who was chosen because of his experience and training, and is given legal sanction by the city charter, which not only provides for his administration of municipal activities within the welfare field, but also specifically charges him with the duty of study and research into all social problems of the community.

STIMULATION OF A CHARTER CAMPAIGN

This rapidly growing East Tennessee city has recently gone through the experience of changing the form of its local government. After years of the old councilmanic mismanagement, the commission form was set up in 1911, and having failed in its promise of widespread reform, gave place to the council-manager plan in September 1923.

The campaign that effected this change in municipal administration was carried to every household in the community and became the concern of every man and woman capable of understanding the most elementary facts of municipal housekeeping. Such a campaign of education was bound to bring about an awakening among all classes of the people, and the civic consciousness aroused focused its attention on the general welfare, whether the particular phase of work was being carried on by governmental or voluntary agencies.

The city manager government on assuming control was quick to take advantage of this newly-aroused interest of the citizens in social welfare. No prodding by private social agencies was needed to have the city assume a greater share of the social work of the community. For the first time there was a single executive at the head of city affairs unhampered by political considerations. That old bug-a-boo of social workers,—a political appointee without training or experience in charge of public social agencies,—could not be evoked. Municipal administration in its every phase had been divorced from relationship with "politicians."

The term "social service" might properly be applied to practically the whole of the activities of city government since its chief functions are to safeguard the life, health and environment of its citizens, to educate them, and to provide for their comfort and happiness. However the term "public social service" is commonly used in reference to those functions performed very largely under the direction of a department of public welfare or like agency, in contradistinction to "private social service" performed by private social agencies.

IMPROVEMENT IN CITY SERVICES

The new charter of Knoxville provided for a department of public welfare with a director at its head, appointed by the city manager and responsible only to the city manager, who must be a person with training and experience in the work to be administered. Under this department was grouped the work scattered throughout the city departments consisting of the administration of the general hospital, home for delinquent women, employment bureau, the supervision of parks and playgrounds, and the health activities.

The department was organized with the following divisions: 1. Hospitals; 2. Bureau of Health; 3. Juvenile Court and Detention Home; 4. Bureau of Recreation; 5. Employment Bureau; 6. Bureau of Social Service.

The general hospital had the usual history of political control, corrupt administration, investigation and reform. When the city manager government came into power the reform element was supposedly in control. The superintendent was a former factory superintendent without training or particular aptitude for hospital management. Disorganization and dirt were the most visible shortcomings. A trained hospital organizer was soon put in charge, the primary needs of sanitation were met, the training school for nurses was reorganized, a medical social worker installed, and an out-patient department established.

Within the year the hospital was accredited by the American College of Surgeons and accepted as a member in the American Hospital Association. In the training school for nurses, educational requirements were established and no student accepted who had not had at least two years of high school work. In the near future it is hoped to raise the standard so as to require high school graduation. The hospital is thus fast assuming its threefold duty to the city: (1) treating the sick; (2) teaching and training doctors, nurses, and social workers for service; (3) contributing information and personnel in its handling of problems of public health and personal hygiene.

The home for delinquent women was originally founded as a home for friendless women, but was finally turned over to the city in 1917 for the use of women prisoners. It is now used as a detention home for women under treatment by the city for venereal disease.

The establishment of a modern bureau of health is probably the most important part of the first year's work of the new department. There is a full-time trained health officer in charge, with adequate laboratories, inspection service, contagious diseases service and city physician. The venereal disease clinic at the health center is operated by the bureau.

Some of the activities for the past year especially noteworthy are: an active campaign to minimize commercialized vice; a standard milk ordinance and regulation of the dairying industry; two contagious disease campaigns, typhoid fever and smallpox. When the new city government got under way a smallpox epidemic was raging, there being over 700 cases in the city and environs. A campaign of education was begun on the necessity of vaccination which was furnished free by the health bureau to those unable to employ private physicians. The county health authorities co-operated and for the first time required vaccination of pupils in the county public schools. As a result the first case of smallpox this winter was not reported until the last week of February. To the first of March only three cases have been reported. Owing to the lapse in the practice of vaccination throughout a great part of this region, smallpox has again become one of the chief anxieties of the health officer of the cities. An epidemic may occur during any of the winter months.

When the new health officer arrived in the city last June he was confronted with a typhoid epidemic, or what threatened to be. Protective health measures were immediately taken, inoculation was urged, and was furnished free to those unable to pay. Springs in the surrounding country were examined and placarded when found to be polluted. Dairies were examined and some closed. Later a new milk and dairy inspection ordinance was passed.

DEATH RATE LOWER

One result of this health work has been to reduce the general death rate. In 1923 this was 15.4, but in 1924 it dropped to 14.3 per 1000 population. The reduction of 1.1 per 1000 population meant the saving of 100 lives in our city last year.

The bureau of social service operates in connection with the clinics, hospitals, and child caring institutions. Two trained social workers have been employed and another is soon to be added.

The bureau of recreation has control of the parks and playgrounds. The latter to the number of six were started by the Community Service Council and taken over by the city.

The employment bureau was a left-over of war days. It has continued under municipal control as a matter of course. There are two employees, one paid for by the city and one by the federal government.

The juvenile court is a county institution though all the expenses except the salary of the judge and part of the salary of probation officers and clerical help are carried in the budget of the welfare department. The detention home opened last year is under the direct control of a board of trustees, two appointed by the city council and one by the county court. It is however under the supervision of the welfare department. There are two full time probation officers, a man and a woman, and two part-time colored officers.

The city gives no outdoor relief. The almshouse is under the county, which also controls the industrial school for children. Commitments are made by both county and juvenile judges.

Mother's pensions in the state depend on appropriations made by the county courts. Knox county appropriated $100.00. Even that has not been paid out.

In addition to the development of the department of public welfare a woman's bureau has been established in the police department. The policewomen and probation officers of the juvenile court constitute the only force in the field of preventive, protective social work in the city. There is no juvenile protective association or like organization.

The public school system has developed but little along social lines. There is medical inspection and five school nurses (now under the supervisor of nurses of the bureau of health). Recently classes for backward children have been started. There are no trade schools, no vocational direction, or scholarships. There are five attendance officers who are assisted by the juvenile court probation officers in the enforcement of the school attendance law of the state. The issuing of employment certificates to children is placed by state law with the superintendent of schools or someone designated by him. This function has been handed over to the Associated Charities. The school board is elected by the people and appoints the superintendent of schools. A new superintendent has been appointed to take the place of the one who has been the head of the school system for fourteen years.

PRIVATE AGENCIES HAVE PROFITED

The private social agencies of Knoxville have likewise profited by the awakened public conscience brought about through the city manager campaign. The feeling aroused against inefficiency in the administration of public affairs was also directed toward a like failing in private social agencies. These agencies had passed through the difficulties of growth so familiar to social workers.

The historical background of the development of social work in Knoxville might be painted in as the setting for a picture of the progress of social work of any community of like size in this country. The processes have been much the same, whether the problems varied because of environmental conditions. Care of the sick and relief for the destitute came to be the responsibility of the community instead of a few charitable persons. This responsibility was met by the establishment of a city hospital on the one hand and the organization of an Associated Charities on the other. Then to the need of salvage was added the greater need of prevention. Public and private agencies developed to meet the differing needs as they arose and were interpreted to the community. To the extent that this interpretation was intelligently presented and courageously pressed, the development of social work became systematic and progressive. The first line of defense or offense was usually held by the private agency; feeling out the enemy territory by experimentation and demonstration and then leaving the field to the more abundant ammunition of the public agency. Such has been the progress of social work. This has been Knoxville's experience varied only by the influence of environmental conditions.

The population of the city is homogeneous; there is no immigration problem, the number of foreign born being less than 1000 in a population of 100,000. There are about 10,000 colored inhabitants, a small proportion for a southern city. Health is the chief concern of the social worker in their midst. The mountain people who drift down into the small settlements and thence to the city make up the largest part of the mill and factory population. They are of old Anglo-Saxon stock with the virtues of thrift and industry and that much praised and much condemned characteristic, conservatism. Lack of education, particularly health education, is the fundamental difficulty to be met. Those among them unable to adjust themselves to modern industrial conditions whether because of lack of education or physical or mental disability constitute the big social problem for the community to solve.

PRIVATE AGENCIES CLASSIFIED

To the solution of the problem the community contributes not only through its official agencies, but numerous private agencies as well. The latter may be listed as follows:

1. Rehabilitation and Relief
    a. Associated Charities
    b. Salvation Army

- c. Volunteers of America
- d. Travelers' Aid

2. Citizenship, Education, Recreation
    - a. The Y. M. C. A.
    - b. The Y. W. C. A.
    - c. Boy Scouts
    - d. Girl Scouts
    - e. Community Service Council
    - f. Two Settlement Houses
3. Homes for Dependent Children
    - a. Friendless Babies' Home
    - b. Children's Mission Home
    - c. St. John's Orphanage
    - d. Colored Orphanage
4. Health Center, Clinics and Nursing Service
5. Co-ordination of Social Activities
    - a. Community Chest
    - b. Council of Social Agencies

The chief agency for rehabilitation and relief is the Associated Charities. The Salvation Army and Volunteers of America furnish some relief in addition to maintaining temporary lodgings for men. The Travelers' Aid of course confines its services to those passing through the gates of the city.

The Associated Charities, organized by a small group in 1907 was re-organized in 1912 on a city-wide membership basis. It started with volunteer workers and when later re-organized paid workers were put on. It has been handicapped from the beginning by the lack of trained social case workers. For years its work was almost purely the giving of relief in the form of groceries, coal and clothing. Gradually the work has taken on the character of that of most family service agencies. The records are in good condition. There is need of a larger staff—it now has only four field workers—and of a corps of semi-trained volunteers. The spirit of co-operation with existing agencies has been good, but there seems to have been little effort to develop such sources of assistance as the churches, and schools. The name of the society should of course be changed to represent more nearly the character of work performed. The issuing of employment certificates should be returned to the school authorities. The size of the Associated Charities staff alone should be sufficient reason for such action.

The Y. M. C. A. and Y. W. C. A. carry on the usual work of education, citizenship training, physical training and recreation. The Y. W. C. A. took advantage of the public interest manifested in community problems to launch a campaign for funds to erect a new building to replace the antiquated structure which has housed their necessarily limited activities. When the new building is completed with swimming pool and gymnasium, physical training will be given greater emphasis. Committees have all been enlarged, a trained industrial secretary is to be employed as well as a physical director, and the work of the employment committee reorganized.

The Y. M. C. A., which is also badly housed, will put on a campaign for a building fund in the near future.

The Boy Scouts and Girl Scouts both have excellent leadership and are growing.

The Community Service Council, an outgrowth of the war, has been of great value in demonstrating the necessity for direction and supervision of organized play. It opened several playgrounds and persuaded the old city council to pay the salaries of several supervisors for the summer months. The new government took over the whole budget for the playgrounds. From this beginning has grown the bureau of recreation in charge of a supervisor under the department of public welfare. The Community Council also interested itself in community music and dramatics. There is considerable sentiment in favor of the expansion of recreational facilities under the auspices of the city.

Institutional care of dependent children is provided for by the Friendless Babies' Home, a temporary home for children up to six years of age, the Children's Mission Home for those between six and fourteen, St. John's Orphanage, an Episcopal institution, and the Colored Orphanage. There is no local child placing agency, but this is to be developed under the bureau of social service. Child placing in the state is done by the Children's Home Society, a private agency receiving a subsidy of $25,000 a year from the state. This organization restricts its efforts to the handling of small children (most of them under seven). The state provides an institution for feeble-minded children.

The city is hampered by the lack of state machinery for such work as is usually undertaken by a state board of charities or welfare department. In the reorganization of the state government in 1923 the old board of charities and corrections was abolished, and a department of institutions established. Such powers as the old board possessed were transferred to this new department, but they were never assumed as there was no appropriation made for an additional staff. A welfare commission appointed by the governor at the request of the State Council of Social Agencies, made a report last December recommending a state department of public welfare with county and city boards of public welfare similar to the Virginia and North Carolina plan. The governor opposed the creation of the new department and did not include the report in his legislative program presented to the general assembly when it convened in January. Until such legislation is secured the work in city and county will necessarily suffer.

The Knoxville Health Center was established in 1920, on the initiative of the County Red Cross Chapter. Affiliated with the Red Cross were the Child's Free Clinic, the United States social hygiene service and the local Anti-Tuberculosis Society. The Child's Free Clinic withdrew at the instance of the director of public welfare, and gave over its work to the city, being convinced that the work could be done better and at less expense by the city. The health center started with three public health nurses for the city and one school nurse for the county. They now have a staff of fourteen including the two nurses attached to the venereal disease clinic operated by the city. The clinics are free to those unable to pay, and until the new government came into power, the only free clinics in the city. As yet there is no psychiatric clinic, but there is a growing interest in the establishment of one.

The Anti-Tuberculosis Society with the aid of one of the civic organizations raised funds for a tuberculosis sanatorium which was opened last spring. There is a children's preventorium in a separate cottage built by the Junior League. The labor unions of the city are planning a cottage for the use of their members.

Through the efforts of the director of public welfare all nurses doing public health work have been placed in one organization—The Public Health Nursing Service—under a supervisor who is a member of the staff of the bureau of health. The city will be divided into districts and each nurse assigned to a district. Each district will have a welfare station for children. The first big problem of the nursing service will be the reduction of the infant and maternal mortality rate which has been very high.

GOVERNMENT TAKES THE INITIATIVE

The Community Chest was organized three years ago. It was purely a financial federation and its only development has been the establishment of a social service exchange. This was the first successful effort to bring about co-operation among the social agencies of the city. Each agency had been more or less in a compartment, doing its own work without much recognition or understanding of the work of other agencies. After a survey of the agencies participating in the chest a Social Workers' Club was organized. In this club were the beginnings of a better understanding of the oneness of the job they were all engaged in. When the director of public welfare in the new government was appointed, the time was ripe for the sort of trained leadership he could furnish in the social field. He was instrumental in the formation of a Council of Social Agencies and was elected its first president. There was no evidence of any feeling that a public official was out of place as a leader of the social forces of the community. The old order of things had been reversed; the education of public officials by trained workers of private social agencies had given place to the education of untrained workers of private social agencies by a trained public official. The new order was made possible by the city manager form of government which furnishes trained leadership for the development and expansion of public social service, and for the correlation of private social service. To the workers in both fields falls the responsibility of educating the public.

In the division of public and private social work the trend has been toward the taking over by the public agency of a service which the private agency has demonstrated is of value to the whole community. In the past the private agency has done most of the experimenting. This may not hold true in the future as governmental agencies enter more largely the field of preventive work with its laboratories of research.

To trace the division of social work in Knoxville or any community, and attempt to determine approximately the deciding factor in each decision as to whether governmental or voluntary societies should take charge of the work, or of a certain section of the work in each special field, would require a detailed study and survey. This would have to include a study of the locality; its history and present status, political, economic, industrial, educational and social; of the particular group interested in the particular work to be transferred. A piece of social case work not to be compressed within the covers of a magazine.

It is possible to do little more than generalize in discussing the past. It is difficult to avoid the temptation of prophecying in discussing the present. In little more than a year social work in Knoxville has made a decided advance. It is no longer compartmented, but co-ordinated. The proofs of its changed spirit are found: in the organization of the Council of Social Agencies; the consolidation of the nursing services under one head, and that governmental; and the willingness to look to the department of public welfare for leadership.

BRIEF REVIEW OF CITY PLANNING IN THE UNITED STATES, 1924*

BY THEODORA KIMBALL HUBBARD

Honorary Librarian, American City Planning Institute

Mrs. Hubbard again contributes her annual review of city planning progress. :: :: :: :: :: :: :: :: ::

THE roster of cities and towns from which there has been some kind of city planning news in 1924 is about three hundred and fifty, a hundred more than in 1923. Sixty of these places had a population less than 5,000, over thirty between 5,000 and 10,000, over eighty from 10,000 to 25,000, over a hundred and ten from 25,000 to 100,000, while fifty-seven were among the sixty largest cities. The 1924 figures from the National Conference on City Planning indicated that there were some three hundred city planning and zoning commissions in the country, most of which were active.

These statistics go to show that official recognition of the practical value of city planning has become widespread. Groups and interests formerly unconvinced or antagonistic are often turning into leaders. The realtors of the country are backing the movement more strongly than ever. The City Planning Division of the American Society of Civil Engineers is conducting an educative series of meetings, with valuable published proceedings. Programs of the National and State Municipal Leagues, the American Society for Municipal Improvements, the Chamber of Commerce of the United States, the National Automobile Chamber of Commerce, are all including city planning as an established municipal responsibility. In addition to the splendid work for zoning carried on by Secretary Hoover through the Division of Building and Housing, he was responsible for calling the National Conference on Street and Highway Safety and appointing a City Planning Committee as one of its eight subdivisions.

Foreign recognition of American achievement in city planning comes this year with the holding of the International Town Planning Congress in New York. To our European friends it must be apparent that we are making progress,—in such recent regional projects as the Detroit Super-Highway Plan, reaching far out into the undeveloped suburban territory with 204-foot thoroughfares; the great interstate and county park schemes of New York state; the waterfront reclamation and Michigan Avenue achievement in Chicago; the huge bond issues recently voted by the citizens of St. Louis and of Philadelphia; the port development of Baltimore and of Seattle, the studies of the Regional Plan of New York and the Port of New York Authority; the rehabilitation of our Federal City; the many new industrial and residential towns and large land subdivisions under construction.

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*Continuing the series of reviews begun by Charles Mulford Robinson and carried on since 1919 by the writer. For a fuller account of city and regional planning for 1924 with a bibliography of plan reports, the reader is referred to the April, 1925, issue of the new quarterly *City Planning*.

NOTABLE ACHIEVEMENTS

In the record of events during 1924 the success of the comprehensive transportation plan for Louisville, Ky. (Technical Advisory Corporation) deserves mention, the city and the railroads having completely assured its carrying out. In Philadelphia, following the opportunity offered by the Broad Street fire station, the Pennsylvania Railroad has shown great public spirit by its new terminal plans; and the citizens of Philadelphia have followed up their liberality of last year by bond issues totalling $40,000,000 voted November 4, 1924, including the initial steps in reclaiming the Schuylkill banks for public recreation.

As a result of the intensive campaign begun in 1923, Washington, D. C., has an official Capital Park Commission with funds appropriated by congress to undertake a park program. Before 1925 shall have passed it is hoped that a Federal City planning commission may be also authorized by congress. The state capital of Arkansas, just possessed of an interim zoning ordinance, has hopes of culminating its years of spasmodic agitation for the execution of a comprehensive plan by the passage of enabling legislation drafted in 1924.

In Dallas, Tex., the Kessler plan of 1911 has been revived by a strong association growing out of the Dallas Property Owners Association, called the Kessler Plan Association, and co-operating with the official plan commission; the plan is to be republished, and regular bulletins are issued to inform the city and its neighborhood of the plan's advantages.

Jacksonville, Fla., has a new city plan commission of which the secretary is the chief sanitary engineer of the state board of health. With the official adoption of the major street plan by Chattanooga, and progress in carrying out almost every phase of the plan of Memphis, adopted last year but just published in admirable form (Plan Commission, Bartholomew), the state of Tennessee comes to the fore. The publication of its plan by Springfield, Mass., in a really notable volume makes freely available to all an account of the methods employed by the Technical Advisory Corporation in the thorough surveys on which the plan is based. Progress in carrying out a number of recommendations is reported.

A bond issue of $5,000,000 just voted by Los Angeles covers the city's share of the cost of a group of primary projects in the traffic commission's major traffic street plan,—the plan itself an important contribution to our understanding of traffic problems in this country. The St. Louis civic center has been finally approved. Milwaukee continues substantial progress under the guidance of the board of public land commissioners, whose powers will repay study. Denver has a new plan, a zoning ordinance in progress, and great public interest. Rochester, N. Y., has opened a new central street, effecting a saving of twenty-seven minutes in getting across town. Buffalo has taken the first step in the development of her administrative center at Niagara Square and is co-operating in the great Niagara Frontier planning enterprise. Chicago has actually started construction on the South Water Street two-level improvement and is able to report further that as a result of fifteen years of effort by the Chicago plan commission, fifteen of the principal features of the plan are completed or assured, involving an expenditure of over $350,000,000. To insure future successes, Chairman Wacker has sent out an "S O S to the Public-Spirited Citizens of Chicago" for increasing the borrowing capacity of the city in scale with that of the other largest cities of the country.

During 1924 the science of city planning has sustained great losses in the deaths of two of our most eminent engineers, the late Nelson P. Lewis of New York, and the late Professor George C. Whipple of Harvard University. Each has left behind a permanent and substantial contribution in the form of writings and of experience translated into public works, but their personal leadership will be hard to replace.

REGIONAL AND STATE PLANNING WORK

The Regional Plan of New York celebrated its second birthday in May, 1924, by a regional traffic conference and a dinner at which the two years' progress was summed up. The series of surveys completed comprise economic, housing and recreation studies, besides some 200 engineering studies and legal investigations of great importance. A recently formed division of public relations endeavors to assist communities with local problems and promote a spirit of co-operation, of which there is encouraging evidence.

Local official co-operation is needed for the realization of a regional plan in the Boston district, such as the traffic artery projects prepared by the engineers of the state metropolitan planning division, advised by Arthur Shurtleff. Likewise Philadelphia is the heart of a regional project embracing the Tri-State Metropolitan Area. A citizens' committee reported in November, 1924, as to a preliminary survey of the problems of the district which embraces over 200 governmental units within twenty-five miles of Philadelphia on both sides of the river. As a result of the committee's good work there is being formed a Tri-State Federation, of which the first conference will be an important event of 1925.

The Detroit metropolitan area is being studied to secure more administrative unity in the far-reaching plans for Greater Detroit. Much has already been accomplished towards the establishment of the plans. The Los Angeles county regional planning commission has progress to report in the application of the "Interlocking Specifications" drawn up in 1922, and a splendid record of regional co-operation of officials, engineers, special committees, and others. In Ohio there is a new official county planning commission, emanating from the planning activities of Toledo, appointed April, 1924, for Lucas county. Trumbull and Cuyahoga counties secured planning commissions before the close of 1924. The Dayton city plan board, in collaboration with the city commission and the Research Bureau is completing a scientific study of annexation versus regional co-operation for the whole tributary area.

One of the most noteworthy regional achievements of the year is the formation of the Niagara Frontier Planning Association, a voluntary body but including important local officials. Without waiting for the necessary enabling legislation now being sought by the Association, by mutual agreement a Niagara Frontier Regional Planning Committee has been formed, the members appointed by six common councils and twenty-two village boards, and the boards of supervisors of Erie and Niagara counties. This success has inspired the Albany Capital District to undertake an association to be heard from in 1925.

New York has now a strong State Federation of Planning Boards, formed at a conference in Buffalo in June, 1924, under the auspices of the bureau of housing and regional planning presided over by Clarence Stein. The bureau issues a *Bulletin* now graduated into printed form and is the moving force in the regional associations in process of formation. The bureau's older neighbor, the Massachusetts division of housing and town planning, is very active, its field agent Mr. Hartmann is giving local aid, and the bulletins of the Massachusetts Federation of Planning Boards for 1924 are of great practical value. At the Federation's annual conference held at Worcester thirty-seven out of seventy-six planning boards reported.

The sixth Ohio State Conference on City Planning at Columbus, also in October, reported twenty-three Ohio cities with planning commissions, besides the county commissions already mentioned, twelve cities with plans completed or in preparation, and twelve cities with zoning ordinances in effect. Recent word from the Conference secretary, Miss Rumbold, indicates an important law extending benefit assessments on the calendar for 1925. Indiana is emulating Ohio in state-wide city planning activity. The recently formed Indiana City Planning Conference had a successful second meeting at Purdue University in April, 1924, and plans its 1925 meeting in Evansville. Largely as a result of interest aroused by these state conferences, the number of plan commissions in Indiana has been increased to eighteen. Iowa has a splendid record for the year, of meetings, city planning and zoning work initiated, and an association monthly bulletin edited by the secretary, Mr. Wallis, which is of far more than local use, and grows constantly more interesting.

Pennsylvania activities have received a setback in the drastic curtailment of appropriations for the valuable work of the town planning division in the bureau of municipalities. Nevertheless the Allentown surveys have been conducted and it is to be hoped that the new year will see proper recognition of the bureau by legislative appropriation.

State programs involving large planning problems should be especially noted for 1924; state and county park systems in New York; roads in Connecticut following the highway survey; forests in Connecticut and Massachusetts; highways in New Jersey, especially as affected by the new Hudson tunnel; and Giant Power in Pennsylvania.

COMPREHENSIVE CITY PLAN REPORTS

The report to the Springfield planning board by the Technical Advisory Corporation, with Mr. Olmsted as special adviser, is a monument to the enterprise of the board. The notable report to the Memphis city plan commission by Mr. Bartholomew contains plans even more in process of execution than those for Springfield. The series of separate special reports likewise by Mr. Bartholomew to the Toledo city plan commission, parts of a comprehensive study, are summed up in the commission's Progress Report of 1924. The city plan commission of Duluth has just issued a report of its activities since its creation.

The Boston city planning board is responsible for a most valuable compendium, in which federal, state, municipal and private reports relating to the commerce and industries of Boston are digested. The bulk of the studies relate to physical improvements, with a section covering the progress of city planning and the work of the city planning board from the beginning.

Another important and distinctive compiled report for a city where much has been accomplished is Mr. Fisher's for the Rochester city planning bureau covering 1918–1922, edited by Mr.

Hungerford. The official city paper, *Denver Municipal Facts*, published the report made to the City Planning Association by McCrary, Culley and Carhart, "A City Plan for Half-a-Million Population," which is timely with the official zoning studies just successfully concluded.

The Allentown reports by Mr. Haldeman issued by the Pennsylvania bureau of municipalities are units in a comprehensive study of the city and region which began in 1923. Passaic, N. J., has a comprehensive report by the Technical Advisory Corporation to the city plan commission. The North Adams (Mass.) planning board report for 1923 contains a survey by Mr. Nolen, carrying on after Thomas Adams. Other preliminary survey reports at hand are three by the Technical Advisory Corporation for New Bedford and Somerville, Mass., and Elizabeth, N. J.; by the City Planning Committee of the Plainfield Chamber of Commerce for Plainfield, N. J.; by the American Civic Association, Washington Committee of One Hundred, under the chairmanship of Mr. Delano, for the Federal City, including nine special subcommittee reports.

The Youngstown planning commission report for 1920–23 reviews the good work in street studies and approval of plats carried on since its establishment. The published street and bridge studies by Mr. Swan for the city planning commission of New Brunswick, N. J., are taken from the comprehensive report in press. Other 1924 comprehensive reports still going through press at the time of preparing this survey are for Cincinnati and Worcester (Technical Advisory Corporation); Sarasota, Fla. (Nolen); Springfield, Ill. (West); Malden, Winchester and Dedham, Mass. (A. A. Shurtleff); Wakefield, Mass. (Comey), and Belleville, N. J. (Swan).

ZONING AND PLATTING

The zoning progress of the year has been astounding. The figures of the department of commerce show that sixty-two municipalities adopted zoning ordinances in 1924, bringing the total number up to about three hundred and twenty. At last reports, thirty-three states had zoning enabling acts. Among the important cities zoned were Boston and its neighbor Cambridge, Albany, Utica, Wilmington, Del., Columbia, S. C., Cincinnati, Davenport, Minneapolis, Kansas City, Kan., Omaha (revised ordinance), Bismark, N. D., and Portland, Ore. Notes on the important zoning decisions of the year will be found in Mr. Williams' department in the *American City*.

The Boston ordinance is based on most thorough studies directed by Mr. Comey, backed up by Mayor Curley's advisory committee. It provides for single-family residence districts as have also a considerable number of smaller Massachusetts communities. In a memorable decision, the supreme court of the state has declared that such regulation is constitutional. The Boston zoning campaign was well conducted and its history appears in the final zoning report just published. Nearly twenty of the forty municipalities in the Boston Metropolitan district are now zoned, a higher record than that of Los Angeles county, California, where sixteen out of forty-four cities had zoning ordinances in November, 1924.

The Portland ordinance, drawn by a joint committee of city planning commission and the Portland Realty Board, and passed by an overwhelming majority, is of particular interest because of the failure of the previous ordinance on popular referendum. Two other leading western cities have ordinances under way, Denver and Salt Lake City. A local enabling act of July, 1924, makes it possible for Buffalo to go ahead with zoning as part of her comprehensive program. The situation in Philadelphia remains practically unchanged, although the zoning commission has made a restudy of the entire city. A new enabling act including provision for a board of appeals is sought for in 1925 and may break the deadlock.

The unfortunate court experience of Baltimore, coming on top of the New Jersey decision, has nevertheless left undaunted the Baltimore zoning board, which has succeeded in having an emergency ordinance passed until new legislation can be secured. In St. Louis unscrupulous builders have proceeded to put inappropriate buildings in home districts since the zoning principle has been temporarily nullified by the Missouri courts. The public will undoubtedly force a way through the intolerable situation thus created. The New Jersey tangle culminating in the Nutley decision and now ameliorated by the new enabling act of 1924 (modeled on the department of commerce standard act) is discussed at length in Mr. Bassett's invaluable new pamphlet "Zoning Practice in the New York Region," published by the Regional Plan of New York.

Two more of Mr. Whitten's excellent zoning reports have appeared in 1924, for Cranston, R. I., and West Hartford, Conn. (ordinances passed in both places). In the West Hartford report there is a section, "Comprehensive Development Plan for Unbuilt Areas," in which Mr. Whitten tries to make zoning lead up to the adoption of a plan to combine zoning, platting, and general planning powers in controlling the development in unbuilt areas.

The number of cities which now have control over platting and land subdivision has increased materially. Location of major thoroughfares and of parks and playgrounds on the official map of unbuilt areas and the enforcement of this map is a subject of prime importance. The recent contributions of Mr. Bassett (published by *Playground*) and of Judge Nichols (published by Massachusetts Federation of Planning Boards) are of great importance.

STREET CONGESTION AND THOROUGHFARES PLANS

Street traffic and street congestion have undoubtedly been the storm center of city planning this past year. In December there was held in Washington the first National Conference on Street and Highway Safety, called by Secretary Hoover, at which the eight committees appointed by him earlier in the year made reports, which were published, as well as the proceedings of the meeting.

Another important traffic conference was devoted to the problems of the New York region, called at the instance of the Committee on the Regional Plan of New York and fourteen other interested bodies in May, 1924, also with published proceedings. The unbearably acute situation in New York has given rise to proposals for arcading, double and triple decking, such as were discussed especially by Messrs. Tuttle and Corbett before the City Planning Division of the American Society of Civil Engineers in January, 1924. The transit report of Mr. Turner to the New York transit commission makes two long double-deck streets part of his program for permanent relief. The New Jersey state highway commission has designed a special commercial traffic way primarily as an extension of the Hudson vehicular tunnel. Studies for further vehicular tunnels or bridges to connect with

New Jersey have been made by the Port of New York Authority.

Los Angeles claims the greatest traffic congestion of any city in the United States due to enormous growth of automobile ownership and all-year-round use. The Los Angeles traffic commission, a voluntary body acting with official co-operation of city and county, secured the services of Messrs. Olmsted, Bartholomew, and Cheney to make a comprehensive study of the traffic situation, reviewing all previous studies, and to report on a major traffic street plan (published May, 1924). Detroit's progress in realizing the magnificent superhighway plan is inspiring and in scale with the tremendous automobile development of the region. Mr. Phillips, consultant to the Detroit city plan commission and several other communities of the region, reports that the plan will probably be carried for at least thirty-three to forty miles out.

Major street plan reports have been published during 1924 for South Bend and for Toledo, prepared for the official commissions by Mr. Bartholomew. Mr. Swan has one for Harrisburg, Pa., in press, Mr. Bibbins directed the preparation of a complete thoroughfare plan for Indianapolis, and the Beeler Organization reported on the traffic situation in Atlanta.

PARKS AND PLAYGROUNDS

At the National Conference on Outdoor Recreation called by President Coolidge in May, 1924, one hundred and twenty-eight national organizations responded by sending delegates. The official status of the gathering, its excellent organization, the hearty spirit of co-operation among delegates, and the series of resolutions adopted make it memorable in the history of recreation. The Playground and Recreation Association in co-operation with the American Institute of Park Executives is undertaking an investigation of great moment financed by the Laura Spelman Rockefeller Foundation, being an intensive study of recreation in municipal and county parks. An advisory committee including representatives from the American City Planning Institute is assisting in the study.

The establishment of the national capital park commission by Congress already noted promises well for the carrying out of much-needed extensions of the park system. The Park Conference held in Baltimore in June was intended to promote the development of a fuller system of parks, parkways and playgrounds for that city. The Chicago South Parks waterfront development has made great progress during 1924. The plans for the redemption of the Schuylkill banks in Philadelphia will add another great water park such as those of Chicago, Washington, Harrisburg, Boston, and Toronto. Birmingham, Ala., and Santa Barbara, Calif., are having park system plans prepared by Olmsted Brothers, and a special report on Boston parks by Mr. A. A. Shurtleff is just out.

The state of New York leads in almost spectacular plans for county and state parks. The Westchester county park commission report, dated April, 1924, is an important document continuing in spirit as well as on the ground the reports on the now-famous Bronx Parkway. The Erie county park bill was passed by the legislature of 1924, the commission has been appointed, and an initial appropriation made by the board of supervisors. A similar bill for a Niagara county park commission is before the 1925 Legislature.

THE FUTURE

Among the goodly number of projects to be heard from in 1925 in cities reporting comprehensive plans recently prepared or under way are Newton and Clinton, Mass.; Stamford, Conn.; Utica, Schenectady, Middletown, and Poughkeepsie, N. Y.; Elizabeth and Camden, N. J.; Ashtabula, Dayton, Oakwood and Wyoming, Ohio; Evansville, Anderson, Muncie, Michigan City and Kokomo, Ind.; Springfield, DeKalb, Oak Park and Jacksonville, Ill.; Saginaw, Benton Harbor and St. Joseph, Pontiac and other communities of the Detroit region, Mich.; Kenosha and Kohler, Wis.; Cedar Rapids and Des Moines, Iowa; St. Joseph, Mo.; Topeka, Kans.; Chattanooga, Tenn.; Norfolk, Va.; Columbus and Athens, Ga.; Shreveport, La.; Houston, Texas; and San Diego, Calif.

It remains to be seen whether the six states not heard from in 1924 join the ranks for 1925, so that we may then say that the city planning movement has become in fact nation-wide.

BOOKS AND REPORTS

ELEMENTS OF LAND ECONOMICS. By Richard T. Ely and Edward W. Morehouse, New York: The Macmillan Company, 1924.

Dr. Ely and his collaborator have done one invaluable thing, namely, they have inventoried and very well organized a special field of economics. In this particular they are pioneers and their volume is a distinct contribution to specialized economics.

A fundamental thesis of the book is taxation of land values on the basis of producing power, which is a perfectly proper basis for income taxes. It is not, however, a proper basis for general property taxes, which are taxes paid for the right to hold property in peace and security under the laws of the land and the customs of society. Which is to say, general property taxes are one thing and income taxes are another. And both in my opinion are perfectly proper taxes. There are all sorts of criticisms of the general property tax, but these taxes are likely to endure to the end of time, and to put general property taxes on the basis of producing power is to confuse the purpose of one tax with the purpose of another tax. This confusion is evident in this volume in the slurring of severance taxes and transfer taxes on unearned incomes. These two subjects are in no wise adequately treated in the book.

Because of the high level of competency in the various chapters, the volume is likely to have very wide use, and this use will mainly be to champion tax doctrines that are very pleasing to particular classes of taxpayers, the farmers in particular, and even more, the holders of farm lands deliberately held out of use for speculative rises in value. Considering the use the volume is being put to, I should say it was innocently or deliberately contrived as a volume of tax propaganda, and must be considered in that aspect rather than as a text-book.

E. C. BRANSON.

University of North Carolina.

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THE STORY OF DETROIT. By George B. Catlin Detroit: The Detroit News, 1923.

BUFFALO'S TEXTBOOK. By John F. Barry and Robert W. Elmes Buffalo: Robert W. Elmes, 1924.

As one might expect after considering the fact that its population multiplied nine times in the forty years preceding 1920, the story of Detroit is a moving and interesting one. Mr. Catlin, librarian of the Detroit *News*, has told this story from the arrival of Antoine Laumet de la Mothe Cadillac in 1701 to the initiation of daily air service from Cleveland in 1923. His history is journalistic, undocumented but relieved of the crass, babbitesque materialism of most such local chronicles by a fine, discriminating treatment of the social and economic conflicts that the city has experienced. For example, the significant career of Mayor Pingree, municipal reformer and advocate of public ownership, is described with sympathy and admiration.

Buffalo's Textbook is a manual adopted by the department of education for use in the public schools of Buffalo. It contains two hundred pages of facts concerning the government, industries, and the social and civic life of Buffalo. Condensation has been sacrificed for completeness to such a degree that one might appropriately designate the volume as sources of material for the making of a textbook, rather than as a textbook itself.

RAYMOND MOLEY.

Columbia University.

◆

REPORT ON TRAFFIC SYSTEM FOR CLEVELAND. Prepared by the Cleveland Automobile Club, March, 1925. 93 pp. with maps and graphs.

This report, issued as the second part of a traffic study begun late in 1924, is the result of a systematic examination of present street traffic conditions in Cleveland. It announces at the very outset that pure theory was either ignored or discarded and that consideration was given only to remedies which could be applied to Cleveland immediately. The traffic systems of the following cities were subjected to scrutiny: New York, Chicago, Philadelphia, Detroit, Boston, Buffalo, Syracuse, and Atlantic City. The practice and experience of these are considered in a general way, the subject matter being well organized and clearly presented. The general student of traffic regulation will therefore find the report at least of passing interest. The description of methods employed in such important centers, however brief, cannot fail to have some value.

It is interesting to note that the report urgently recommends that all parking be prohibited in the most heavily congested business centers. The tendency everywhere is to the same effect, in spite of active opposition from various quarters. Unregulated or under-regulated parking leads to traffic congestion, which is one of the chief underlying causes of street accidents.

The report probably places an undue emphasis upon the value of mechanical signal systems. Although these unquestionably must be accorded a place in any highly developed scheme for traffic control, the time is doubtless still distant when mechanical devices will exercise a preponderating influence. We are still in the stage of forming the habits of the public while travelling on the highways. The uniformed police officer will continue to be indispensable to such a program of education.

BRUCE SMITH.

National Institute of Public Administration.

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COMMUNITY ADVERTISING. By Don E. Mowry, General Secretary, Madison Association of Commerce. Madison, Wis.: Cantwell Press, 1924. Pp. 456.

Advertising, as that term is usually understood is a means of selling a product or a service to someone else. Mr. Mowry very wisely uses the term community advertising not only in this accepted sense, but as designating a force by which a community may be "sold" to itself. And this internal publicity has a two fold purpose, too—educating the citizenship as to assets already possessed by their city, and the discovery and correction of community liabilities.

As a prime essential to success, both in external and internal publicity, the author places special emphasis on the developing of the city's personality: that distinctive characteristic of a community which is hard to define, but which makes it different—desirably different—from other communities, and which "seems to radiate an atmosphere of invigorating, forceful, compelling energy."

The forty-two chapters in the book are grouped in six main divisions—Fundamentals, Objectives, Machinery, Mediums, Technique and Accomplishments. The section on objectives contains chapters in which practical suggestions are offered as to securing conventions, cultivating tourist business, tying up town and country, securing new residents, and developing local business. The machinery described includes the advertising agency, chamber of commerce, schools and churches, women voters and civic clubs, railroads, financial institutions, real estate dealers, public utilities, insurance companies and other agencies; and the mediums analyzed are direct mail, radio, silver screen, newspapers, technical journals, farm publications, exhibits, expositions, posters, outdoor displays, and national magazine advertising.

But advertising costs money, and Mr. Mowry discusses in two chapters the securing of the funds and the preparation and control of the budget. Methods of raising publicity funds by commercial organizations are contrasted with the growing feeling—especially in summer and winter resort communities—that public taxation may properly be used to provide money for publicity purposes.

Readers who wish to know what has actually been done in recent years in community advertising will find much of value in the "Accomplishments" section, with its chapters on City Accomplishments, Town and Country Accomplishments, and State Accomplishments. That *Community Advertising* will render a real service as a stimulant and guide towards greater accomplishments in future seems certain.

HAROLD S. BUTTENHEIM.

Editor of the *American City Magazine.*

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FOREST TAXATION: Being Part I of the Report of the Special Joint Committee on Taxation and Retrenchment, submitted April 1, 1924. State of New York, Legislative Document (1924), No. 91. Albany: J. B. Lyon Company, 1924. Pp. 13–95 and 175–180.

This document is the fifth report of the Special Joint Committee on Taxation and Retrenchment of the New York Legislature, appointed in 1919 and reappointed in 1923. The previous reports have presented interesting and important treatises upon the public finances of New York, state, county, city and town. The major part of the present report has to do with the subject of forest taxation, and it is this part only which is here submitted to review.

It may as well be frankly stated that to students of the general problem of forest taxation in the United States this report will be a disappointment. A careful reading makes unavoidable the impression that its main purpose was to silence the demands for forest tax legislation in New York and to justify a policy of inaction. That the more vociferous of the advocates of forest tax "reform," not only in New York state but all over the country, have been guilty of erroneous assumptions of theory and extravagant statements of fact is well known, and these advocates deserve a rebuke now and then. Likewise the false basis of practically all past American legislation aimed to give tax relief to forests is well known, as well as the universal failure of such legislation to produce results. The New York record, just criticism of which occupies Chapter I of this report, is simply part of this general development. All this, however, was shown up years ago.[1] Today it is only the rubbish that must be brushed aside preparatory to a constructive analysis of the real problem of forest taxation. Failure to progress much beyond this first step is a disappointing feature of the present report.

The writer is much disturbed by the variety in the practical plans of forest tax relief which have been offered in the fifteen years since the subject first received scientific study in America, and he seems to find in this proof that there is no real basis of theory upon which the experts are in agreement. As a matter of fact the theoretical basis of the forest tax problem has been pretty thoroughly established, not merely worked out by the experts but quite generally accepted by the leaders in the practical fields of forestry and lumbering. This is the one solid accomplishment of our fifteen years of effort. The present report fails to distinguish between this basis of theory and the various measures which have been offered in the practical attempt to get whatever relief may be obtainable under actual conditions. For example, an exclusive yield tax would be in harmony with sound principles, and there are practicable means of making it satisfactory from the point of view of local revenue. But public opinion has been generally slow to accept this plan, being especially reluctant to give up the annual property tax upon the land. This has led to other plans, involving complete or partial taxation of the land, exemption of growing trees, and a yield tax on forest products, as proposed by the forest tax committee of the National Tax Association in 1913 and 1922. With legislation in the hands of forty eight separate states, exhibiting the utmost diversity as to forest conditions, general tax conditions, and public opinion, it is not to be expected that one uniform plan will receive favor everywhere. The essential point is that, whatever is done, in the way of forest tax relief, be it all that the most ardent reformer could desire or only the timid first steps, shall be in harmony with sound principles of economics and forestry and not a repetition of the mistaken, though well-meaning, efforts of the past.

In his effort to show that there is no serious problem of forest taxation in New York, the writer fails to grasp the real nature of the problem. He seeks to show (page 43, etc.) that New York state has passed the critical stage in which cut over lands are assessed above their real value, forgetting that it is not the danger of excessive assessment which frightens the forest investor so much as the results of simple honest assessment of land and trees according to the letter of the property tax law. It is claimed that there are few tax sales in New York. But the question whether cut over lands are being reforested to the degree that would be desirable and that would be possible under a sound tax policy is confessedly not answered (page 44). The argument offered here is anything but convincing. The area of 75,000 acres of reforested land (cited on page 45) is inferred from statistics of seedlings planted, nearly half of which are shown by the table on the next page (46) to have been planted by the state on state lands. Worst of all is this statement (page 45): "If now, the burden imposed by the general property tax had been as serious as some of the advocates of changes in the law insist, it is reasonable to assume that there would have been a much greater tendency on the part of those actively engaged in reforesting to escape the tax burden by taking advantage of the provisions of the existing laws." This, in the face of the writer's own vigorous disclosure of the defects of those laws (pages 15–22), to say nothing of the mass of evidence from all over the United States as to the unwillingness of forest owners to accept the restrictions and red tape involved in such laws as these.

Failure to grasp the real nature of the forest tax problem is shown again in the somewhat supercilious discussion of evidence based upon hypothetical tables of costs and revenues of forest growing. Reference is made to the importance of the rate of interest selected and the rotation period (pages 47 and 48), but no constructive suggestion is offered as to the correct assumptions. There is evidence upon both of these points which is readily available and which should be known to any student of forestry or forest taxation. Finally the whole point of such tables is missed. Of course no such table can show, fifty or sixty years in advance, what will be the financial result of a forest investment. But such tables can and do show what a crushing burden taxation *may* impose under the existing system. The mere *possibility* of such a burden is enough to frighten the investor; he will not wait for proof of its *certainty*.

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[1] For example, *Taxation of Timberlands*, Report of the National Conservation Commission, 1909. Vol. II, pp. 581–632.

The reader approaches hopefully the elaborate statistical study contained in Chapter IV, but here again disappointment ensues. In the first place, the authority of the statistical results is seriously weakened by the many arbitrary assumptions which have been made in obtaining them. And the conclusions from them are of little service. For example much is made of the apparent conclusion that full value assessment in the taxing districts would have resulted in a reduced tax burden upon *immature* forests (page 85, etc.). This is on the assumption that all other property is likewise assessed at its full value and also that the tax rate is reduced so as to yield the same total revenue as under the existing basis of taxation. This may be true, but what is its practical importance? The forest investor is not worrying about a general full value assessment, with a corresponding reduction of the tax rate, something that never happened and almost certainly never will happen. He is afraid of what will happen to his investment if ever his property, both land and *trees*, should be assessed at their full market value (as the law requires) with tax rates generally rising, as he knows they are and have been for a generation past. The same expenditure of time and labor, devoted to collection of evidence as to assessed and sales values of forest properties, such as have been conducted, for example, in New Hampshire and certain other states, would have brought forth some interesting and valuable results.

As regards recommendations, certain minor technical changes in the existing New York statutes are suggested, brief uncritical reference is made to certain current plans of forest taxation, and further study of the whole subject is advised.

Fred Rogers Fairchild.

Yale University.

PUBLIC HEALTH NOTES

EDITED BY CARL E. McCOMBS, M.D.

A Legal Decision of Interest to Municipal Officials.—In May of 1924, a dairyman near Jamestown, N. Y., was awarded a verdict of $12,000 damages against the city of Jamestown by a jury in the supreme court of the state, sitting at Mayville, N. Y. The suit grew out of a typhoid outbreak in Jamestown which city officials claimed was due to the handling of milk by a typhoid carrier on the dairyman's farm. The dairyman sued the city for $50,000 damages contending that if contamination of his milk had occurred it had resulted from the discharge of raw sewage by the city into a stream on which his farm was located. The case was appealed by the city and the appellate division of the supreme court unanimously reversed the judgment of the lower court. The opinion, which was written by Justice Clark, states "that there were certain erroneous instructions given to the jury that require a new trial."

In view of the accumulated evidence as to the rôle of typhoid carriers in contaminating milk supplies, it would appear that the presence of a carrier on the dairyman's farm would be given greater weight by a jury than the dairyman's contention that a sewage-polluted stream on his farm was responsible for the outbreak. Even assuming the pollution of the stream by raw sewage as the dairyman argued, there would be little likelihood of contamination of milk from such source, if the dairyman's methods were above reproach.

◆

Carbon Monoxid Poisoning of Garage Employees.—Dr. Ettore Champiolini of the division of industrial hygiene of the New York state department of labor has recently reported on the menace of carbon monoxid poisoning among garage employees in New York city. The air of thirty-one garages was examined and found to contain carbon monoxid in all cases, varying from .05 to .2 per cent. In ten of the garages the carbon monoxid content of the air was in excess of .15 per cent which was regarded as the danger point. Forty-two of the workers were examined and carbon monoxid was found combined with the hemoglobin of the blood of twenty-nine of them. Headaches and gastric symptoms were found in many and several reported insomnia. One worker was found with all of the characteristic symptoms of carbon monoxid poisoning including high carbon monoxid hemoglobin in the blood, headache, gastric and nervous symptoms and slight increase of temperature.

On the evidence furnished by Dr. Champiolini, it is evident that health officials everywhere would do well to see that all possible precautions against carbon monoxid poisoning are observed by garage employers and employees. The condition appears to be of such constant occurrence among garage workers that there is warrant in adding this type of poisoning to the list of occupational diseases and injuries of a compensable nature. Much can of course be done to reduce the dangers to garage workers by supervision of ventilation in garages. The proposals of other investigators in this field, that motor cars be required to equip with exhausts rising to the level of the top of the cars, are worthy of serious consideration.

◆

1924 the Year of Lowest Death Rate in History.—From such records as are available regarding mortality of the general population in 1924, it is clear that 1924 was the best health year in the history of this country and Canada. The figures recently published by the Metropolitan Life Insurance Company on mortality among its 16,000,000 policyholders are of particular interest in this connection since their mortality records are more promptly available and more thoroughly analyzed than those of the United States bureau of the census. These 16,000,000 policyholders constitute about one-seventh of the total population of the two countries and mortality among them is therefore an excellent index to mortality generally. The death rate of this large group was 8.5 per 1,000 in 1924,—5.2 per cent lower than in 1923. There were 130,790 deaths among the 16,000,000 in 1924 which was 7,210 less than would have occurred under the 1923 rate and 61,958 less than if the 1911 rate had prevailed. This represents for the period 1911–1923, (1923 is the latest year for which comparable data are available) a decline of 28.4 per cent of mortality among the insured as compared with a 12.1 per cent decline in the general population. The insurance experience shows a saving of lives greater by 29,782 in 1923 *alone*, over and above the saving expected by reason of the decline in the mortality rate of the general population. The accumulated saving in the twelve-year period since 1911 represents a total of 171,341 lives, according to the Metropolitan Life's statisticians, and they estimate that the added gains in 1924 will bring the savings beyond 200,000 lives.

The extremely low death rate among the Metropolitan Life's policyholders is of course due in part to the fact that its policyholders are selected risks. Nevertheless it is reasonable to believe that this result could not have been brought about without the extensive health educational and supervisory service which the Metropolitan has made available to its policyholders. Health education pays. If it didn't the Metropolitan Life Insurance Company wouldn't spend its money for that purpose. A few thousand dollars spent for health education by health departments will yield a tremendous return in human vitality.

◆

Health in Rural and Urban Areas.—A recent issue of the statistical bulletin of the Metropolitan Life Insurance Company makes certain comparisons of mortality in urban and rural districts that are well worth review. Of the communicable diseases, whooping cough, influenza, small pox, typhoid fever, malaria, dysentery and pellagra show constantly higher mortality rates in rural than in urban areas, for the reason that control procedures are not so readily or efficiently applied. The mortality from the diseases incident to pregnancy and child birth also has a higher rural rate. Chronic rheumatism, apoplexy, paralysis, paresis and other mental diseases and epilepsy also cause higher mortality in rural areas, partly because these diseases affect more of the aged who have greater representation in rural areas and partly because the majority of hospitals and institutions for the aged, infirm and mentally diseased are located in the country outside of city jurisdictions. As might be expected, accidental deaths from food poisonings, deaths in burning buildings, drownings, gun shot wounds, mine and quarry accidents, railroad accidents, deaths in landslides, injuries by animals, by lightning and excessive cold and heat, cause greater mortality in the country.

Nevertheless, the expectancy of life is better for those in rural areas. The rural boy has an expectancy of 7¾ years more than the urban boy, and the rural girl 6 years more than the urban girl. This is due to the fact that the major causes of death such as cancer, tuberculosis, diseases of the heart and arteries, diseases of the kidney, and diarrheal diseases of children over two years of age show higher urban than rural rates. Only one type of cancer, namely skin cancer, and only one type of tuberculosis, the disseminated or general type, show higher rural than urban rates. Angina pectoris which is comparatively rare, is the only disease of the circulatory system group that gives a higher rural than urban mortality. Suicides and homicides are more important causes of mortality in urban than in rural districts, although it appears that the homicide rate in rural areas is tending to approximate that of the urban. This is not to be wondered at in view of the opportunity for rural raids which the automobile has furnished criminals who formerly limited their activities to the cities.

It is of interest in connection with this comparison of rural and urban health to note the result of a survey of physical defects among "country" and "city" children by the division of research of the National Education Association. According to the report of this agency the percentages of physical defects found in the groups are as follows:

	Per Cent Country	*Per Cent City*
Teeth Defects............	49.0	33.58
Tonsils..................	28.14	16.42
Adenoids................	23.4	12.5
Eye Defects.............	21.0	13.4
Malnutrition.............	16.6	7.68
Enlarged Glands.........	6.4	2.7
Ear Defects.............	4.78	1.3
Breathing Defects........	4.2	2.1

It might be concluded from this comparison, if we may assume the accuracy of the figures, that the "country" child has a heavy handicap to overcome in his health race with the "city" child. It might also be concluded from comparison of these figures and the figures of life expectancy previously cited that the rural child does eventually overcome these handicaps. But conclusions so drawn may lead to absurdities. The reports of the United States bureau of the census, from which analyses of urban and rural mortality rates are derived, consider as "rural" all population outside of cities of 10,000 or more. When one considers that there are many communities of less than 10,000 population that have well organized local governments and provide health services as good as are offered in much larger cities, it is clear that mortality rates determined for districts so arbitrarily defined are not of high value in comparing country health with city health. The comparison of physical defects of "country" and "city" children by the National Education Association is interesting but it would be far more interesting, if in publishing this table (*The Nation's Health*, March 15, 1925), the reader were informed of what is meant by "country" and what by "city." It is probable that "country" as used by the National Education Association represents a quite different area than that which is called "rural" by the United States bureau of the census.

Comparisons of rural and urban health conditions are valuable, but to be of real practical use there should be some agreement on definitions. What is "country" and what "city?" What is "rural" and what "urban?" If "country" means the same as "rural" and "city" the same as "urban" then we may be able to make some comparisons that will be useful in administrative practice, provided "country" or "rural" is actually rural and does not include organized communities of several thousand people living under circumstances that are truly urban in character.

◆

Venereal Diseases in 1924.—The United States public health service reports a great improvement in the reporting of venereal diseases in the year ending June 30, 1924. There were 27,382 more cases reported, an increase of 7.2 per cent over the corresponding period ending June 30, 1923. This does not necessarily mean that venereal disease was more prevalent but more likely that with the improvement of diagnostic methods, more clinics, and the extension of health educational work by official and inofficial bodies, few cases of the disease escaped registration.

A total of 363,063 cases of venereal diseases were reported to various boards of health state and local in the period reviewed. Of these 193,844 were syphilis, 160,790 gonorrhea and 8,429 chancroid. During the fiscal year just passed 504 public clinics reporting to state boards gave 2,147,087 treatments. Large as these figures are they represent as yet only inefficient control of venereal diseases. There are hundreds of thousands of cases that still escape discovery due to the failure of state and local law-making bodies to enact and provide for the enforcement of registration laws and attendant procedures and the failure also of health authorities of many communities to carry out known preventive measures even when authorized by law to do so.

ITEMS ON MUNICIPAL ENGINEERING

EDITED BY WILLIAM A. BASSETT

Advantages of Soft Water for Domestic Industrial Purposes.—Water supplies free from disease-bearing germs, turbidity and obnoxious taste and odors, are today provided for most cities. In fact such a supply is recognized as essential to the prosperity and welfare of a community and great credit is due to those instrumental in securing it. It is, however, believed that up to the present sufficient consideration has not been given to the matter of reducing the hardness of water due to the presence of certain salts in solution. In those cities where water softening plants have been installed, the reason has been the necessity of reducing hardness in order to secure necessary purification rather than the reduction of the hardness alone. It may be said, however, that hardness in water creates an economic disadvantage to the community and, everything else considered, this disadvantage is in direct proportion to the hardness.

The advantages resulting from the use of soft water benefit the domestic user as well as the industrial one. In the household there is a material decrease in the labor of housework when soft water is available. It is demonstrable that clothes washed in soft water have an increased life of from 25 to 100 per cent. There is also the advantage of a lower cost of plumbing, with soft water there is no deposit of scale, for example, in hot water pipes. This means an increased life in water backs and copper coils used in heaters together with reduced fuel consumption due to better conditions in the heating system.

In all industrial lines the advantage of soft water over hard is pronounced. In many plants it is necessary to resort to special treatment of hard waters in order to secure satisfactory and economical operating conditions. It is true that water softening treatment will of necessity increase the cost of providing a supply which will mean increased charges to consumers. It is believed, however, that ordinarily this increased charge for water will be but a small part of the indirect but real economies to the consumer that accompany a reduction in the hardness of any supply. There is need to educate the public as to the true significance of this matter.

◆

Financing City Replanning Improvements in Boston.—Utilization of a fund derived from a personal property tax on automobiles levied by the city of Boston, and from a proposed state excise tax on automobiles to meet in part the cost of street widening and similar replanning projects to relieve traffic congestion on certain important thoroughfares in that city, is a feature of a plan recommended by a state commission appointed to study the problem. For the purpose of distributing the cost of such improvements between the users of the streets and the property owners, the commission recommends: First, that all city revenue derived from motor vehicles should be placed in a highway improvement fund and used for the purpose designated; second, that the remaining cost be met, one-half from funds provided by a tax levy of 50 cents on the $1,000 over the entire city and one-half from special assessments levied on property within the central portion of the city which will receive special benefit from the contemplated improvements. The commission also recommends issuing fifteen year bonds to provide funds for the execution of the improvements.

Applying the principle of assessment for benefit in the financing of projects of this kind is recognized as consistent with the most approved practice. However, the wisdom of certain other provisions recommended by the commission is not at first glance apparent. The net cost of the proposed work, as estimated by the commission, is placed at approximately $24,250,000 of which only $1,350,000, it is anticipated, will be required for construction purposes. Considering the character of the purposes of expenditure which these projects involve and the relative permanency of the changes in conditions that will result from their consummation, it would seem justifiable to distribute the general financial burden over a greater period than fifteen years.

Also it is generally conceded that revenues from motor vehicle taxes when used for street improvement purposes should be expended for maintenance of street pavements rather than for capital expense, particularly that for acquiring property. The plan itself undoubtedly has merit in its simplicity and its recognition of the varying benefit that would result both to the user of the street and the property owner from its carrying out. However, some modification in its provisions would seem to be desirable from the point of view of sound financial policy.

◆

Electric vs. Gasoline Trucks for Waste Collection.—Electrically operated trucks for the collection of municipal waste have been used with success in a number of cities both in England and on the continent, and more recently this type of equipment is being used to a limited extent for the above purposes by certain American cities. It has already a wide use by business and industry in this country. There appears to be no reason why electric trucks should not be extremely useful for waste collection work where there is not an excessively long haul to the point of final disposal. In the past, two main objections raised against the use of electrically operated vehicles for collection purposes have been the limited mileage over which a truck can operate without recharging the battery and the restricted speed. Naturally it is important that there should be readily available ample facilities for recharging truck batteries without serious delay, but in these days of extensive application of electrical energy this should not be difficult of accomplishment.

It is stated that ordinarily the electric trucks used on collection work are designed for a maximum speed of about fifteen miles an hour. With the present hazard on our public streets due to motor vehicle this would not appear to be a serious objection, at least from the point of view of the public. The average speed of collection equipment is the controlling factor in measuring accomplishment where a large number of stops have to be made and the quick getaway to which the electric vehicle is adapted is in its favor.

Other advantages claimed for the electric truck which seem to be substantiated to a considerable extent in practice are simplicity of design and hence operation, relatively long life and low cost of operation and maintenance. In Washington, D. C., where three electric trucks have been used for rubbish collection during the past year, Morris Hacker, superintendent of the District of Columbia refuse collection department, in commenting on the experience of that city in the use of this equipment, is quoted as follows:

> Electrics are, in the opinion of the city refuse division, cheaper for certain sections of the city. In the outlying sections, gas trucks are necessary as the haul is too long for the satisfactory operation of electric trucks.

This statement appears to summarize the experience of other American cities, which have used electric trucks for waste collection purposes. Naturally the adaptability of that type of equipment to these purposes will depend on local conditions. In England it is reported that collection by electric trucks is proving more economical and generally satisfactory than by the use of horse drawn vehicles. Comparative data of this kind are lacking in respect of waste collection in American cities. However, the advantages that electric trucks possess for such work merit careful attention by municipal engineers and other officials in providing waste collection facilities.

◆

English Experience With Contract Labor.—Unusual success has accompanied the execution of building construction projects by force accounts methods or direct labor, according to an editorial appearing in the *Local Government News* of England. Information on this matter secured by means of a carefully prepared questionnaire discloses the following conditions:

> In Manchester, taking the whole of the 332 houses built by direct labor since 1920, it was found that there was a saving over contract price of £13,250; and the housing director said definitely that even if it cost by direct labor 5 per cent more than it did, it would still pay the corporation of Manchester to operate the principle of direct labor. At Swansea, out of 1,310 houses, 718 had been built by direct labor and a further 100 were under construction. On 260 houses alone there was a saving on the sanctioned price of £22,024 and the contractors refused even to tender on the sanctioned price! In 1922–3 houses built by direct labor cost £419 as compared with £476 by contract. The town clerk of Swansea, moreover, wrote to say that, apart from the large saving in cost, the work done by direct labor was better than that done by private contract.
>
> At Tynemouth, 25 houses built by direct labor for £784 as against £884 contract price, produced an actual saving of £2,512, and a potential saving on a further 71 houses of £7,125. At Salisbury, 20 houses built by direct

labor at £800 were £88 cheaper than those of similar type being built by contract. At Glasgow, the official figures were £534 for direct labor as against £707 by contract; £647 as against £883; and £731 as against £1,003; and the total saving to the corporation effected by building by direct labor reached the enormous sum of £57,240. From Hartlepool comes a similar tale of municipal success.

In this country there is frequent controversy over the question of conducting public work by contract or force account methods. In general, experience indicates that the contract method is preferable for handling ordinary municipal improvement work. The execution of building projects in this country, by the government, limited as it has been to certain housing development carried out during the war, does not offer the opportunity for comparison of cost between these two methods as that class of work was done under emergency conditions and almost entirely by contract. Incidentally, practically every government housing project proved to be a very expensive investment. The experience of English cities in this matter is an interesting demonstration of what can be accomplished by force account methods on relatively small building construction projects.

Amendment of New York Law Governing Motor Bus Operation.—Legislation that will clarify the powers of the New York state public service commission with regard to regulating the operation of bus lines using the public highways of that state has been asked by the commission.

For all other classes of utilities over which the commission has control there is specific mention in the law of the extent of the supervision. For bus regulation there are no definitely fixed limits.

The report directs especial attention to section 5-A of the public service commission law which seems to give exclusive jurisdiction to the transit commission (the state regulatory body of New York city) over bus lines wherever such lines or any part of them are within the limits of New York city. The jurisdiction of the public service commission is apparently expressly limited to the operation of such lines outside of New York city. If this is a fact, the transit commission only could pass on questions of convenience and necessity for lines or routes, no matter what their extent in the balance of the state, if they pass through, begin or end in New York city. The commission asks that this section be amended.

NOTES AND EVENTS

Official Comprehensive Plan of Cincinnati.—On April 16, Cincinnati officially adopted a Comprehensive City Plan, not only for the city, but for the area three miles outside as well.

This is the first complete city plan to be officially adopted by any large city in the country.

It means that from now on, there can be no use of private property contrary to the zoning and platting regulations of the plan. It also means that no street or means of circulation, nor public buildings, structures or land, nor public utility can be located or developed contrary to the plan, unless it is over-ruled by a two-thirds vote of the city council after public hearing, and with the approval of the department affected.

The plan is the result of three years of continuous work on the part of the city planning commission and its consultants, the Technical Advisory Corporation; furthermore, every city department and every public utility affected by the plan has collaborated in its preparation and concurs in its conclusions.

The program for the carrying out of the plan has been so worked out in detail as to bring no unnecessary burden on the tax-payer. The cost of executing the plan is distributed over fifty years, with no more than a normal proportion of it payable in any one year.

The plan is distinctly a citizens' plan, as it was initiated and largely paid for by the United City Planning Committee, which is composed of representatives of about thirty of the leading organizations of the city.

◆

Demolition of Buildings in Philadelphia is the subject of a report by the Philadelphia Housing Association, which possesses interest for other cities as well. The report covers the year 1924 and supplements one made for the year previous.

In 1924, 1172 buildings were demolished, 936 of which were residential. Altogether 7,749 persons were dehoused, although 90 per cent of the residential buildings still had a long period of usefulness ahead of them.

Few of the residences demolished were replaced by dwellings. Many of the new buildings were for commercial and manufacturing purposes, but the majority of the houses destroyed were razed to make way for public improvements. These were for the most part low rental accommodations and no relief was planned for the families discommoded.

The survey discloses that the city government loses thousands of dollars in rent and drives families out months earlier than necessary by condemnation and destruction of houses before the city is ready to go ahead with the improvement. In contrast to this stands the practice of private corporations which continue to use or rent dwellings up to the moment when new construction begins. For example, the extension of Spring Garden Street, to provide an approach to the new Delaware River Bridge, was made two years too soon, and the loss in rentals to the city amounted to $65,000 each year.

The report calls attention to the fact that the destruction of existing buildings to make room for public improvements is proceeding without any comprehensive city plan, and that, although damages have to be paid for losses sustained through removal of property, public improvements which benefit private property are still paid for by general taxation. Assessments designed to impose part of the burden on the property benefited cannot be applied in Pennsylvania in the case of comprehensive improvements.

◆

Four Years of Budget Supervision in Portland, Oregon.—The Multnomah County (Oregon) Tax Supervising and Conservation Commission in its report on budget facts for 1925 reviews the results of four years' exercise of its power to certify the tax levies of the several governmental bodies within the limits of the county. An important accomplishment is the reduction in appropriations and taxes for each year as follows:

	Reductions in Appropriations	*Reductions in Tax Levies*
1922 Budgets	$491,330.40	$610,806.77
1923 Budgets	383,107.23	536,959.53
1924 Budgets	408,779.83	688,643.30
1925 Budgets	611,755.32	836,745.37
Total, 4 years	$1,894,972.79	$2,673,154.97

The commission believes, however, that its efforts have brought other substantial results in addition to the evidence in the table above. The power of the commission to disallow budget items is said to be in itself a deterrent influence on extravagance. The commission is also a research agency and makes suggestions from time to time regarding administrative rearrangements which effect money savings. It insists upon proper repair and maintenance of existing plants, compels necessary contributions to sinking funds, and requires that work programs, involving either appropriations or borrowings, be carefully thought out in advance.

The commission has always placed a great deal of emphasis on budget procedure, backed up by proper accounting. It believes that the budget idea now means more than ever before to the local governing bodies within the county.

The powers of the commission are indeed broad and their exercise has at times given rise to friction. The commission acts by unanimous vote, however, and does not attempt to dictate on questions of broad policy. Disinterested observers state that it has driven local governing bodies to a more careful study of their budgets.

⁂

The Indiana Plan Criticized.—Like most human devices, this plan has certain merit. Likewise, it has defects. Its value depends on the net outcome from such merits and such defects.

The plan aims to prevent extravagance in governmental management. It purposes to use fear and moral suasion to accomplish such results. Unfortunately it does not tend to correct the real defects in municipal government. Its purpose is to prevent unwarranted tax levies and bond issues, but can be used when levies and issues are merely unwelcome instead of unwarranted.

The plan presupposes a vicious or incompetent and unresponsive body of municipal officials, an electorate which is not wholly indifferent and which contains at least a small group of non-complaisant tax contributors, or both. It affords nothing except moral restraint to the average municipality, for the average municipality will not invoke the machinery of the plan, if one is to believe reports from the home of the plan. This does not mean that the average municipality does not need such service, but merely that the people of such communities have not seen fit to use such service. It is more than probable that the municipalities that do not do so are the ones that need it the most, for in those communities where such service is asked there is a self-determining movement which should make the over-lord service of the plan unnecessary.

On the other hand, the plan offers nothing and does nothing for the community where proposed tax levies are too low. There is no means by which it offers assistance in forcing tax levies to be as high as they should be. The sinking funds of Minneapolis are four and one-half million dollars less than they should be; the various retirement funds have deficiencies of a somewhat similar amount; in 1919 Minneapolis issued $1,450,000.00 bonds in order to wipe our deficiencies in various operating funds due to inadequate tax levies of former years. Does the Indiana plan offer any means of preventing a repetition of such conditions?

It is notorious that adequate tax levies are not made in most municipalities to finance various retirement schemes that have been installed throughout the country; it is usual that adequate provisions are not made for amortization of bonds. The Indiana plan does not offer a cure for such ills. In fact, it does not in any way solve the real problems involved in municipal finance: what and how much service should a community render; what should such service cost; how is the necessary revenue to be obtained?

Minnesota communities probably need an agency which can give them advice as to financial procedures; preparation of budgets, issuance of bonds, calculations of costs. They certainly need some means of preventing present obligations from being passed on to future generations. They can make good use of a supervising agency which will help local communities to attain the fundamental ideal of the American commonwealth, local self-government. But they do not want officious interference by any agency that does not function generally and that has no direct interest in the financial transactions involved.

George M. Link.

Minneapolis.

⁂

Seattle Street Railway Making Money.—The financial report of the Seattle Street Railway for the year 1924 shows a net profit of $369,430.78 under the 8½ cent fare now in force. The statement supplied by I. Comeaux, chief city accountant of Seattle, is as follows:

INCOME, PROFIT AND LOSS FOR 1924

Gross revenue, 1924		$6,119,290.18
Add—Miscellaneous revenue and expense balance		11,699.17
		$6,130,989.35
Deduct:		
Operating expense	$4,807,538.52[a]	
Interest	759,299.27	
Bond discount amortization	6,908.15	
	$5,573,745.94	
Profit and loss, abandoned property, etc.	187,812.63	5,761,558.57
Net profit for 1924		$369,430.78

BALANCE SHEET

ASSETS:		
Capital assets	$17,296,597.51[b]	
Less—Accrued depreciation	3,668,458.60	$13,628,138.91
Investments		173,280.93
Sinking, redemption and special fund assets		523,499.29
Current assets		1,349,751.67
Deferred assets		2,500.00
Unamortized discount on bonds		67,235.84
Work in progress		9,687.58
Deficit		615,928.46
		$16,370,022.68
LIABILITIES:		
General lien bonds	$775,000.00	
Revenue bonds	14,191,000.00	$14,966,000.00
Current Liabilities		1,208,437.51
Accounts payable to general fund		190,845.17
Deferred liabilities		4,290.00
Miscellaneous		450.00
		$16,370,022.68

[a] Includes $685,114.32, year's depreciation. Also includes maintenance for the year, $915,652.80.

[b] Includes about $700,000 real estate omitting bldgs., viz., nondepreciable assets.

Our readers are familiar with the fact that Seattle purchased her street railway system in 1919, when the city's waterfront was humming with ship building. Mayor Ole Hansen favored the purchase at a price of $15,000,000 and the people approved it in an advisory referendum. It is now generally conceded that the price was exorbitant, that the property was worth not more than ten million at the most. The properties were in an advanced stage of deterioration, and there has always been suspicion of graft on the part of city officials. The next mayor induced the council to appropriate $10,000 for an investigation into possible fraud, but nothing ever came of it.

The city commenced operation April 1, 1919 in a 5 cent fare, but on July 24, 1920, was compelled to increase it to 6½ cents, and on January 9, 1921, the fare was raised to 8⅓ cents. The present mayor won his election on a promise to restore the 5 cent fare and on March 1, 1923, this rate was established, although past experience did not justify the reduction. Revenues being insufficient to pay the employees, and the banks being unwilling to cash the warrants issued by the city to pay wages, the city was obliged to increase the fare to the previous high level of 8⅓ cents, which has continued in force to the present.

The city paid for the system in revenue bonds running from three to twenty years, and in addition cancelled franchise obligations (for paving, bridge construction, etc.) approximating $1,000,000. Each year the city retires $843,000 worth of these bonds, which are an obligation on revenues only. Additional bonds amounting to

$2,505,000 have been issued. During the periods of low fares, a total deficit of $2,153,000 was accumulated, but of this amount, $1,537,000 has been wiped out by profits under the 8⅓ cent fare.

Now, however, the system is showing a profit. Mr. Comeaux states that ample allowance is made for depreciation and maintenance. Cost of operation has been reduced more than $330,000 since 1919 in spite of the fact that maximum wages of motormen and conductors have been increased from 53 to 63 cents per hour to 60 to 70 cents per hour.

We are indebted to M. H. Van Nuys, secretary of the Seattle Municipal League and to I. Comeaux, chief city accountant, for the data upon which the above account is based.

◆

Fight on Taxicab Control in New York.—The licensing of public hacks and drivers in New York city was transferred from the bureau of licenses to the police department when Mayor Hylan signed the local law amending the greater New York charter to that effect.

Growing pains were apparent as the taxicab industry increased by leaps and bounds and the details of licensing cabs, meters and chauffeurs proved too great an undertaking for the limited staff of the division of licensed vehicles. It became clear that additional workers would have to be assigned to the work and at this juncture the mayor appears to have become interested and assigned a commission to investigate the situation.

By a law of 1914 a centralized licensing department, headed by an appointed commissioner of licenses, was given charge of the bulk of the licensing in New York city including the licensing of taxicabs, meters and chauffeurs, but the granting of licenses to applicants in the case of chauffeurs depended upon the fitness of applicants. Prior to a decision on this point it was mandatory that each applicant be finger printed by the police and careful search made for a police record. The police report was then sent to the division of licensing vehicles and governed the granting of licenses to applicants.

This routine should be borne in mind as it definitely places certain responsibilities upon the police department.

Mr. Hylan introduced the bill for transfer of licensing hacks and drivers and it was apparent from the first that the bill was the administration's pet measure. The board of estimate passed it with only Mr. Craig's two votes against it. Thirty-four votes would have carried the measure in the board of aldermen, but for some unknown reason the administration wanted a full Democratic line up. Some of the aldermen were not in favor of the bill, but could not resist the pressure, and orders to support it were given personally by Mayor Hylan to each Democratic alderman. One alderman said, "Orders is orders," and another, "I have been a soldier for years, I am still a soldier and must take my orders."

The vote in the board of aldermen showed only two Democrats voting with the Republicans against the measure, while two Democrats stayed away and one asked to be excused from voting. The affirmative vote was 50, negative 10.

The main argument advanced by the proponents of the bill was that since the police are responsible for traffic control the licensing power should also be theirs, since divided powers make for irresponsibility. This of course might have been developed into an impressive argument, but Mayor Hylan muffed the opportunity to use it at the board of estimate hearing by citing, as an example of the crime that follows in the wake of divided responsibility, the murder of Kenney by an unlicensed gunman who was driving a taxicab. Controller Craig could not let this pass. In forceful language he called attention to the full power to enforce taxicab regulations already in the hands of the police, including the power to arrest all unlicensed drivers. He wound up with the placement of all blame for the Kenney murder upon the shoulders of the mayor, for appointing as police commissioner a man who does not enforce the law.

The majority report of the committee on local laws of the board of aldermen reported the bill favorably, giving as their reasons that there are 18,000 licensed cabs and 35,000 licensed drivers and in a report for 1922 the commissioner of licenses suggested the transfer to the police department and the mayor's investigation commission had recently recommended it.

By far the greatest warfare was waged over the charge that the mayor and his family are financially interested in the Yellow Taxicab Company, and against the unreliableness of the police, who, it is claimed, discriminate at every turn against the independent taxi drivers.

The two direct arguments brought against the bill were first, that the police would have judicial powers as well as enforcement power in that they would issue licenses, inspect, arrest and impose penalties which complete control is not in conformity with American custom. Secondly, the license records under the bill would be secret since they would become police records. This would give the licensing authorities power to make arbitrary and unfair decisions that could not be checked up by wholesome publicity. Here the lack of confidence in the police department was again apparent.

The latter argument is a sound one and one of the Republicans in the board of alderman will shortly propose an amendment that will, if adopted, check up on the secrecy clause. But the first argument regarding enforcement and judicial power might equally well be brought against all administrative departments which have quasi-judicial powers.

It was conclusively shown that the license department was discriminating in favor of the Yellow Taxicab Company in licensing taxi meters. All independents must stand on line with their cars and await their turn when applying for licenses, sometimes having to stay in line seven days, sleeping in their cars and losing earnings for that time, while an official from the license department is sent to the garage of the Yellow Taxi Company to examine their meters. This also means that the Yellow Taxi meters are not put through the laboratory test and thus do not carry the seal of approval required, although the police, who have full power of enforcement, do not question this shortage.

The taxicab situation has been the most dramatic exercise of home rule power, granted by recent constitutional amendment, which has been afforded to date. Irrespective of the merits of the change, the whole matter was fought out on the home field where all who were involved could participate, instead of at Albany as would formerly have been the case.

G. R. Howe.

NEWS OF THE CITY MANAGER MOVEMENT

Contributed By John G. Stutz

The Attempted Indiana Repeal.—A bill introduced in the Indiana House of Representatives to repeal the present law admitting cities to adopt the city manager form of government which has been taken advantage of only by Michigan City, was killed by the house by being indefinitely postponed.

This repeal is said to have been proposed by Indianapolis politicians in an attempt to make it impossible for the city of Indianapolis to adopt the city manager plan of government as it now seems quite likely will be done.

✥

Where The Opposition Comes From.—To get a small town to change from the old councilmanic system of city government to the city manager plan is about as hard as to get a township organization county to change to the commissioner system. The principal reason is that each of the changes results in a decrease in the number of offices. The holders of small offices never like to give them up. They have friends who can vote and argue. Chadron has just voted about two to one against adopting the city manager plan.—*Geneva Signal.*

Delay in Austin.—Due to the legal tangle which has been the result of the appeal case on the adoption of the city manager charter by Austin, Texas, it is quite probable that the city commissioners will not be selected for that city under the city manager plan until after the case has been decided, although the regular election would come before that time. The council may take one of two courses, that of refusing to hold an election until after the contents have been decided on, or they may call an election under the old charter.

✥

Wheeling Charter Prescribes Local Man.—The present method of selecting city managers in Wheeling is coming in for a great deal of criticism. Those who are familiar with the Wheeling situation will remember that the charter provides that a local man must be appointed. The local paper points out the fact that the managers do not desire to stay in the position more than one term. It is our opinion that this condition is due not so much to the fact that the city manager is selected by the council, as the newspapers point out, but rather to the fact that the council is required to appoint a local man, thus making it almost impossible for them to get away from politics.

⁂

The Plan in Michigan's Upper Peninsula.—In Michigan's upper peninsula the city of Ironwood, Michigan, adopted by a vote of more than two to one a new charter which will place that city under the city manager form of government. Councilmen to place this form in effect to be elected at the regular spring election in April. Ironwood is a city of well over 16,000 population and is the center of the iron ore mining region of the upper peninsula.

City Manager Fred R. Harris of Escanaba calls attention to the fact that since Escanaba adopted the city manager form of government three years ago, the cities of Gladstone, Kingsford, Stambough, and Ironwood on the upper peninsula have also adopted this form of government.

⁂

Race for Cincinnati Council.—Already the Cincinnati newspapers are attacking the problems of securing the right kind of nominees for members of the council under the city manager plan which is to go into effect on January 1, 1926. Editorials have appeared in the leading newspapers pointing out the fact that already there are a large number of persons declaring themselves candidates for election, many of them members of the political machine which has governed Cincinnati for the past several years. These newspapers point out that if Cincinnati is to have a successful administration the voters should make a complete break from the old political machine for the purpose of giving the new plan a fair trial.

⁂

Old Government Leaves Unwelcome Heritage.—Cape May, the first city in New Jersey to adopt the optional city manager law, witnessed a striking example of the attitude of professional politicians toward the city manager plan of government. The commission, which was to go out of office within a week or two, advertised for bids for a municipal orchestra, a three-year electric light contract, the furnishing of material to pave about a mile of street and a "DeLuxe highway bulletin." The bids were to be opened and contract let two days before the municipal election. Friends of the city manager plan in Cape May are openly asserting that this action was part of a deliberate plot to discredit the incoming managerial form of government basing its assertion upon the fact that the specifications for the orchestra were made so that only a certain friend of one of the present commissioners could qualify as director; second, because the electric light company has been furnishing current on a month to month basis for more than a year; and third, because the paving program let under the commission plan would have to be carried out under the city manager plan. This situation we believe forms a striking example of the usual vindictive attitude taken by professional politicians when the citizens have voted for a city manager form of government and they know that their chances for future political patronage have been definitely removed and hence there is no further reason to curry popular favor.

NOTES ON MUNICIPAL ACTIVITIES ABROAD

Contributed by W. E. Mosher

A New Review.—The first issue of a new review entitled, *Les Sciences Administratives,* has just been launched at Brussels under the auspices of the International Union of Cities with the co-operation of the permanent Commission of the International Congress of the Sciences of Administration and the International Institute of Bibliography and Documentation. In the future this publication will regularly contain "Les Tablettes Documentaires," formerly published as a separate bulletin. The purpose of the review is to serve as a clearing house for ideas, methods and practices in administration, both in the field of state and of city government.

Since the significance of the review as the organ of the municipalities will increase in proportion to the number of cities represented on the membership of the International Union of Cities, efforts are being made to bring about a more comprehensive organization. In general it is planned to base the international organization on the national groups. Co-operation to this end on the part of those nations not yet participating is fairly well assured, so far as the important countries go. It is interesting to note that a preliminary step has been taken in the United States through the organization of the Association of American Municipal Organizations which has recently taken place in Lawrence, Kansas, with Dr. Maurice B. Lambie as president and Mr. John G. Stutz as executive secretary.

It is appropriate that the central place in the first issue of the review should be devoted to two reports; one, of the conference of the International Union of Cities and the second of the International Congress of the Science of Administration.

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The Second International Congress of Cities.—A summary report of the Second International Congress of Cities, held in Amsterdam in June–July, 1924, is found in the first issue of *Les Sciences Administratives*. The unions of cities or individual cities of 21 countries participated in this conference. On the program provision was made for the reports of the unions of cities from various countries, together with special sessions on the handling of municipal health problems, infant welfare, venereal diseases and cancer.

The most important discussions, however, centered about the ways and means of extending the area of co-operation between the various national unions of cities themselves. This has to do with the exchange of information, reports and the like. Specific action in this direction took the form of a recommendation which was based upon the doctrine of "intermunicipality," and was directed to the League of Nations. In view of the recommendation, the League of Nations subsequently went on record as being in sympathy with the advancement of this doctrine, on the ground that it was in a line with those ideals which brought about the creation of the League. Further, at its last assembly, it adopted a resolution providing that its secretariat prepare a report for the sixth assembly of the League, dealing with the intermunicipal co-operation already existing and the possible ways in which the League of Nations might advance and contribute to it.

*

Uniform Budget Systems.—A movement is under way among the members of the Conference of German Cities (Deutscher Städetag) to introduce a uniform budget system in the interests of (1) economy, (2) home rule with respect to the empire, the state and economic organizations, and (3) for the purpose of developing financial statistics that will make comparative tests possible. It is urged further that the budget plan be set up on the basis of a clear and simple method of accounting. The main divisions proposed are the following: (a) General Administration, (b) Police Administration (including building, market and health inspection), (c) Building, (d) Public Utilities, (e) Schools, (f) Science and Art, (g) Welfare (including housing, health and employment bureau).

It is also recommended that there should be attached to the budget, statements giving the number of officials and workers for the various departments as well as cost units and other standard units of output and measurement for various activities. The plan originated with the executive committee of the organization of directors of finance. It has the backing of the executive committee of the Conference of German Cities. (Mitteilungen des Deutscher Städetages, 1 Januar 1925.)

*

Housing Politics.—A comprehensive review of the housing situation in Germany, together with proposals for solving the problem, is set forth by Dr. Anacker. By way of retrospect, costs of real estate, construction, interest charges and the increases in rent are compared with the pre-war period. A comparison is also made with housing conditions in English industrial cities that throws light on the gravity of the German situation. Among other things, it is pointed out that on the average, four or five persons dwell in one house in England, while in similar houses in Germany, over thirty people are to be found.

Some very interesting proposals are made, particularly as to the responsibilities of local communities. These apply to financing, the purchase of land to be leased over a long period of time, and to providing money at a low rate of interest for construction purposes. In the author's opinion, the proper handling of this problem is the very center of the solution of the social and hygienic problems of Germany.

In the same issue of the magazine carrying Dr. Anacker's article, is a series of items from 42 different German cities, covering recent activities and ordinances of more or less general interest. The list of cities includes such as the following: Aachen, Essen, Halle, Stuttgart and a number of smaller municipalities.

A review of these reports goes to show how widely recognized is the need of providing housing facilities. In 14 cases, that is one-third of the total, a note is included concerning the purchase of property for housing purposes, the provision of funds for loans or the actual building of houses on the part of the community concerned.

In one case (Gruenberg), for instance, provision is made for the erection of 100 dwellings at the cost of from 650,000 to 700,000 marks. The building program of Cologne calls for 3,000 new dwellings in 1925 and, at an increasing rate each year, reaches the maximum of eight thousand in 1929. The administration of Stuttgart plans for 1,000 dwellings at the cost of 8 to 9 million marks.

A detailed investigation of the various methods used for stimulating building among German cities would, doubtless, contain some very valuable and fruitful suggestions for the cities of the United States. A great variety of experiments is now under way that should serve as a guide for meeting a situation becoming more and more acute throughout the civilized countries. (Zeitschrift fur Kommunalwirtschaft, Berlin, den 10 Marz, 1925.)

NATIONAL MUNICIPAL REVIEW

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AT RANDOM

Representative Fletcher of the Ohio legislature recommends an intelligence test for legislators before they are permitted to take office.

*

In spite of the energetic efforts of large civic groups the zoning bill for Philadelphia failed in the recent session of the legislature.

*

The Supreme Court of New Jersey has ruled against a zoning ordinance seeking to exclude apartment houses from zones restricted to one family homes.

*

Mayor Jackson of Baltimore has announced a plan for the abolition of all railroad grade crossings in the city before the end of his administration in May, 1927.

*

According to a report of the New York City Transit Commission, 155,000,000 railroad commuters entered the city during the year 1924.

*

Albert Sydney Gregg, writing in the May issue of the *Review of Reviews* on Cleveland under a city manager, testifies to the quality of the present manager and to the general calibre of the council. As far as Cleveland is concerned, he believes that the supreme test of the manager plan will come when a new council is to be elected in November.

City Planning, a new quarterly magazine and the official origin of the National Conference on City Planning, came into being with the April issue. Prof. Henry V. Hubbard is editor and Charles W. Elliott, 2nd, is assistant editor. The first issue includes a letter from Secretary Hoover and articles by Thomas Adams, Theodora Kimball Hubbard, Ebenezer Howard, M. N. Baker, John Ihlder and others. The magazine is attractive in format and illustrations and the high calibre of the editors and contributing editors guarantees the quality of the contents.

*

The Pan-American Conference, conducted by the American Civic Association on April 27 and 28 at Washington, brought together the representatives of the Latin American countries and the city planners of Europe who had a week before attended the International Conference on City Planning in New York city. The banquet session was devoted to Pan-American capitals and the luncheon session on Tuesday to the capitals of Europe. Exhibits from Pan-American capitals and a reception at the White House by the President and Mrs. Coolidge were features of the Conference.

*

Police chiefs who attended the International Police Conference last month in New York and who took advantage of absence from home to violate the prohibition law were severely reprimanded in an address by Chief Forrest Braden of Louisville, Ky. Mr. Braden stated that foreign delegates had commented upon the apparent disrespect for the law displayed by the chief law enforcers and that he did not wish them to return to their homes with the impression that the American police did not obey the law. He explained that in the United States each city had its own independent police force and that local conditions sometimes brought unfit men into office as heads of police departments; but that the conduct of such "misfits" should not be allowed to bring the whole service into reproach.

*

Green County, N. Y., has adopted a psychiatric examination as routine procedure in criminal cases. The state commission of prisons approved the plan and says that it is a step in advance. Of the first ten prisoners examined, eight were first offenders, seven of whom were given suspended sentences on probation with conditions imposed in line with psychiatric opinion. The other first offender was found to be feeble-minded and was committed to a state institution. In the case of the two old offenders one was found to be psychopathic and was sent to the hospital for the insane.

When advised of the plan for a psychiatric examination, counsel for the defendants changed from pleas of "not guilty" to "guilty." Judge William E. Thorpe, before whom the prisoners were arraigned, stated that one of the facts demonstrated by the examination was the suggestibility of the mind of a criminal and how easily he may be led into violation of the law.

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Municipal Air Fields. Americans are rather case hardened against European criticism of municipal government but nevertheless there is some comfort in an article in the *Local Government News* (London) which asserts that the facts of comparative excellence are not always gratifying to English self-esteem. As an example of American ability to become adapted to new conditions, the writer mentions municipal interest in flying. The 1924 aerial map shows that there are no less than 201 municipal landing fields for aeroplanes in the United States, California leading with 24, Georgia and Texas coming next with 15 each. New York stands fourth with 13 and Florida follows with 10 owned by cities. Last November Detroit voted $85,000 for a municipal aerodome.

And in England almost nothing has been done by local authority to anticipate the enormous possibilities in aviation. The writer points out that an aerodome is to the aeroplane what a harbor is to a ship or a road to an automobile, and as such it must be controlled in the public interest. The time has come when landing fields must be considered in the city plan and by taking thought for the future municipalities can save themselves much of the expense and trouble which we are now experiencing because of too late planning for parks.

COMPULSORY VOTING IN BELGIUM[1]

BY THOMAS H. REED
University of Michigan

Compulsory voting defended by one who knows Belgium. :: ::

COMPULSORY voting in Belgium dates from 1893 when it was introduced into the constitution along with universal male suffrage and plural voting. The ostensible reason for its adoption was the very large percentage of the limited number of voters under the old régime who had failed to register their votes. The proportion in absences from the polls to the number of qualified voters had been 26 per cent in 1870, 30 per cent in 1884 and 16 per cent at the bitterly contested election of 1892.

COMPULSORY VOTING ACCEPTED WITHOUT COMMENT

There was some excuse for this apparent disregard of civic obligation in the fact that prior to 1893 all voters had to repair to the chief place of the district to cast their ballot. Many refused to go to this trouble except at the expense of some candidate. It may be suspected that desire to avoid similar expenses in the enlarged electorate had something to do with the adoption of compulsory voting. At any rate it was adopted, and has remained a part of the Belgian constitution ever since. It was accepted without much complaint by the Belgian public and is now completely taken for granted. The only persons whom I have met who were keenly alive to the compulsory feature of their electoral system were women just after their first vote at the municipal elections in 1921. To them it had all the interests of a novelty and they seemed very much struck with the fact that even the nuns in the convent had been obliged to go to the polls.

The provisions for the enforcement of the obligation to vote are to be found in articles 220–223 of the code electoral. The penalties provided seem rather slight. A first offense entails nothing more severe than a fine of from one to three francs and the first offender is not infrequently dismissed with a simple reprimand. For a second offense within six years the penalty is from three to twenty-five francs. If a third offense is committed within ten years of the first, the offenders name is posted on the wall of the city hall and the fine is again from three to twenty-five francs. The conviction for a fourth offense within fifteen years, however, in addition to the same penalty, deprives the voter of his right to suffrage for ten years during which time he can receive no appointment, promotion or distinction from any public authority.

The voter who expects to be unable to take part in the election may inform the justice of the peace of the reasons for his absence with the necessary excuses. If the justice of the peace accepts these excuses with the concurrence of the commissioner of police or burgermaster, there will be no prosecution.

NUMBER OF BLANKS

Slight as are these penalties they have proven amply efficacious. The number of abstentions from voting fell at once to less then six per cent and has remained in that neighborhood ever since, except in 1919 due to the disturbed conditions following the war. The number of blank ballots cast is sometimes considerable, but usually a voter led to water decides to drink. At the Brussells communal election of 1921 out of 81,693 votes cast, 8,018 or nearly ten per cent were blank or null. This extraordinary proportion is, however, easily explainable on two grounds; first that this was the first election in which women had voted on the same terms as men and second, because it was the first election in which a new and more complicated system of proportional representation had been tried. The best figures which are available on this subject are those for the elections of 1900 and 1912. They are to be found in the Annuaire Statistique de Belgique et du Congo Belge, 1914; pages 172–173.

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[1] Those interested in compulsory voting should see the article by Professor Charles E. Merriam in the February REVIEW on "Compulsory Voting in Czecho Slovakia."

In the election of the chamber of representatives in 1900 there were 2,135,036 votes cast of which 2,051,014 were valid. The percentage of blank and null ballots was therefore 3.8 per cent. At the election of the chamber of representatives in 1912 this percentage dropped to 2.3 per cent. These figures conclusively disprove the loose statements sometimes made that a large proportion of the Belgian voters, although forced to the polls, refuse to record an effective vote. If we add the number of blank and null ballots to the number of qualified voters who fail to go to the polls we have a percentage of Belgians performing effectively the duty of suffrage far in excess of the results achieved in the United States.

I think it can be said without fear of contradiction by anyone familiar with the facts that compulsory voting is a success in Belgium. It has produced the results desired and it has met with the general acquiescence of the Belgian public. This fact is clearly established by the small number of cases which come before the justices of the peace throughout the kingdom. The following are the figures for the legislative elections of 1906–08–10 and 12.

CASES OF NON-VOTING BEFORE THE COURT

Year	Number of Voters		
	Acquitted	Reprimanded	Fined
1906.......	197	250	450
1908.......	250	229	378
1910.......	313	326	428
1912.......	755	709	737

A PROPOSAL TO CONTROL BILLBOARDS

SPECIALLY DEVISED FOR PENNSYLVANIA BUT APPLICABLE TO OTHER STATES

BY J. HORACE McFARLAND, L.H.D.

THE state of Pennsylvania controls 10,307 miles of highways, of which 5,780 miles are improved, and on all of which maintenance is expended by the State. From 1919 to 1923, $180,000-000 was expended on this highway system, and it is estimated that between 1923 and 1927 $220,000,000 additional will be expended.

Travel on these highways is increasing rapidly, there being now in use more than one million registered motor vehicles, independent of horse-drawn and other traffic. This travel is generally conducted at an average speed of at least ten times that of twenty years ago. The result of increased traffic and increased speed on relatively narrow roads has been a great increase in accidents, showing more than a thousand deaths within a year, in addition to many non-fatal accidents. It is notable that the major portion of these deaths and accidents occurs on the straightaway stretches of the state highways.

To reduce so far as possible the increasing danger of the state highways, the secretary of highways has painted traffic lines on hundreds of miles of roads, and erected substantial guard-rails where they are needed, also increasingly placing along the highways signs giving readable warnings to motorists of crossings, turns, grades, school proximity, and the like. Thus the secretary of highways is putting forth every effort to protect and warn the users of the roads.

While property abutting upon the state highways is materially benefited by the improvement of those highways, no benefits are assessed against such property, and it is therefore asserted that the owners of property abutting on the state highways *have no inherent right to their use other than for transportation purposes.*

It is insisted that the placing of private advertising on abutting private property, intended to be read from these highways, is therefore *not a natural right or a servitude properly imposed* upon the highway itself.

It is obvious, under the conditions above mentioned, that anything which diverts attention from the dangers of traffic or from the safe operation of the rapidly moving vehicles using the state highways, is an interference with the public safety.

Private advertising signs intended to be read by the users of the state highways must, if they have any value to the advertisers, divert attention from the dangers to the traffic, from the traffic lines, from the guard-rails, and from the official signs placed along the highway to warn users thereof of dangerous points, and are therefore an interference with the public safety, increasing the danger to those using the state highways.

These private advertising signs are by their very nature in direct opposition to the purpose of the official cautionary signs, traffic lines, and guard-rails. They are intended to attract and fix the attention of both the eyes and the minds of the operators of the rapidly-moving vehicles, in question.

Therefore, in the interest of public safety, and to increase the efficacy of the warning and directing efforts now being put forth, it was proposed in the so-called "Buckman bill" introduced in the legislature of 1925 to *place under the control of the Secretary of Highways* all advertising signs visible from the State Highways, authorizing him, under the police power of the State, to permit only those to remain or to be newly erected that do not, in his judgment, add to the dangers of the traffic on such highways by diverting the attention of the drivers of vehicles used thereon.

This general proposition has been discussed with Attorney General George W. Woodruff of the state of Pennsylvania; with Dr. Clyde L. King, secretary of the commonwealth; with William H. Connell, deputy secretary of highways of Pennsylvania; with former Judge Edward W. Biddle, of Carlisle; with Mrs. Mabel Willebrandt, assistant attorney general of the United States; with Hon. John Barton Payne, an ex-judge of the superior court, Chicago; with Everett L. Millard, a Chicago attorney who has successfully carried a famous billboard case through the United States supreme court, and with Frank B. Williams, counsel for the National Committee for Restriction of Outdoor Advertising, of New York city. All these authorities agree that the principle is sound and that the police power of the state can properly be exercised as proposed in protection of public safety along the state's highways. Another able attorney, in commenting on this proposition which he considers legally sound, adds the thought that as abutting property owners benefit greatly from the building of improved roads by the state and federal authorities, and as they are not assessed for any part of the cost of such roads, they might legally be restrained from maintaining or erecting private advertising signs that tend to interfere with the safety of traffic.

PHILOSOPHY OF A PERSONNEL SYSTEM

BY ALBERT SMITH FAUGHT

Being a comment on the article, "Governor Pinchot and the Merit System." :: :: :: :: :: :: :: :: :: ::

The article in the April 1925 number of the National Municipal Review entitled "Governor Pinchot and the Merit System" is worthy of the best traditions of the Review. It appreciates the point of view of a zealous official whose honesty of purpose is unquestioned, and yet it unhesitatingly points out the consequences which may result from letting the "end justify the means." The article never looses sight of the dangers inherent in a personal personnel plan which "is just what the executive makes it" in a state having 22,000 employees and an annual pay roll of over $25,000,000.

Dr. H. W. Dodds in writing this article cannot be charged with prejudice, which is a matter of moment in this world when the easiest mode of defending an unsound case is by picturesque abuse of opposing counsel.

In Dr. Dodds' sympathetic critique of the personal personnel system, established in the Keystone State by the Administrative Code of 1923, we find the statement made that "the governor or his secretary, has his hand in every appointment small or great" and that "the office of governor is a political office as well as an executive office, and a political disqualification, if serious, may become a moral disqualification in the mind of the executive."

In the administration of this system it is stated that during a fight over the selection of a speaker by the legislature of 1925 "the candidate for speaker being supported by Mr. Pinchot . . . when the fight was hottest, the governor discharged approximately a dozen state officers and employees and threatened others with dismissal in an effort to swing their political patrons into line behind the candidate." Letting the "end justify the means" in this manner will delay the coming of the time when "positions in the public service will offer a career, the rewards of which will be rewards for merit."

The present personal personnel system lends itself easily to just such an abuse, and the governor, if the incident related is true, points the way for his successors to abuse this system, for "his whole plan of personnel management is just what the executive makes it."

The philosophical defense of the system perhaps is found in Dr. Dodds' statement that "But if there is machine control of the executive, he (Mr. Pinchot) believes, there will be machine control of any civil service commission which can be devised."

But Dr. Dodds' own conclusion is based on a different philosophy in regard to Mr. Pinchot's personal personnel system, that "an alert citizenry can secure its continuance and improvement in future administrations."

Pilate once asked: "What is truth?" but didn't wait for an answer. But is it not worth while now, while Mr. Pinchot is still governor to ask which philosophy is right? Could an alert citizenship prevent machine control of a civil service commission? Did it prevent the Philadelphia civil service commission as constituted several years ago from lending its aid to the appointment of a certain Gudehus as supervisor of playgrounds in Philadelphia? Has the alert citizenship, lead during the last few weeks by the Philadelphia Housing Association, prevented the present Philadelphia civil service commission from, (if it had so desired which is not proven), countenancing the designation of an unqualified person as head of the bureau of housing and sanitation?

Unsuccessful efforts were made during the session of 1925 by the Pennsylvania Civil Service Association to correct the weak spots in the present personal personnel system of Pennsylvania and to "institutionalize the merit system" by the passage of the Woodward State Civil Service Bill.

Yet the governor at this session made no visible or known invisible move to secure the passage of this measure or any other measure with a similar purpose, so we are left in the dark as to the plans of Governor Pinchot for correcting the weak spots in the present personal personnel law, a law so defective that the whole plan "is just what the executive makes it."

SEATTLE'S VOTE AGAINST CITY MANAGER PLAN

BY M. H. VAN NUYS

Secretary, Seattle Municipal League

Politicians and organized Civil Servants combine to defeat the plan.

The amendment to the charter of Seattle, Washington, providing for a city manager form of government was defeated at the annual election, March 10, 1925, by 4,519 votes. Total votes cast for the amendment, 22,789; against it, 27,308. Total votes cast at the election, 56,615. Total registered voters, 118,210.

The proposed amendment was originally prepared by a committee of the Seattle Municipal League, and in December, 1923, the League invited the city council to place it on the ballot. The council declined. The League then invited a large number of civic organizations to send delegates to form a voluntary commission for drafting a city manager amendment. About twelve organizations did so. These delegates, sitting with the Municipal League committee as members of the commission, prepared an amendment somewhat altered from the committee's original draft. This proposed amendment was approved by the Municipal League.

Soon after the election of November 4, 1924, the League, with the co-operation of several of the larger women's civic clubs of the city, made a drive to have the amendment placed on the ballot at the election of March 10, 1925, by initiative petition. About 21,700 signatures to the petition were procured and filed with the city comptroller, although 11,806 was the required number. The services of those who obtained these signatures were, as the law requires, gratuitous. Thousands of signatures were procured by the use of portable cloth booths, about 4 by 4 feet base, in downtown places.

POLICE TAKE SIDES

In the Pike Street Market the police attempted to intimidate the booth attendants, and arrested one of them for "obstructing traffic." An injunction suit was instituted. Public feeling was strong against the action of the police and the mayor, who had bitterly fought the city manager plan, promised that the police would not again interfere.

The petition with the required signatures had to be filed before January 23. Toward the last the campaign for signatures became intense, when hundreds of citizens were circulating petitions. This campaign for signatures, in addition to putting the amendment on the ballot, proved of great educational value.

The promoters of the campaign up to the date of the election succeeded in raising only about $2,200 for the campaign fund. Not until late in the campaign was city manager literature distributed, owing to lack of funds. The educational work was done mostly through speakers, who served without pay. These speakers addressed any and every gathering wherever a call was made—women's clubs, church clubs, luncheon clubs, improvement clubs, and societies of every description throughout the city. Many joint debates were held. During the week before the election, voters having telephones were asked to vote on the city manager amendment.

NEWSPAPERS DIVIDE

The city newspapers took no editorial stand until nearly the end of the campaign. Eight days before the election the *Star* entered on a strong and vigorous championship of the city manager plan, devoting a large part of the first page of each issue to an editorial supporting the plan. The following evening the *Times*, the other leading evening paper, came out against the plan with the plea that the manager would be the messenger boy of the city council. Meanwhile, the *Union Record* (labor) opposed the plan on the ground that the manager would be an autocrat in conspiracy with the financial interests and contractors. Two days later the *Post Intelligencer*, the only morning paper, took a stand in favor of the plan. Its attitude was sedate and conservative, contrasting notably with the kind of campaign usually carried on by its sister Hearst papers.

The Chamber of Commerce, and with a few notable exceptions, the influential business men took no part. Many Protestant ministers recommended the plan. The Central Labor Council was unfriendly. But on the whole the sentiment of what may be called the great middle class, so far as could be observed, was inclining to favor the plan. Then suddenly, about two weeks before election, the tide began to turn. Up to this time there had been few opposition speakers.

ORGANIZED CITY EMPLOYEES TAKE A HAND

There are over 5,500 employees of the city under civil service protection. They include about 2,000 municipal street car employees, about 640 firemen and about 629 policemen. These civil service employees have long been strongly organized and entrenched. It is believed they, their families and friends, can cast about 15,000 votes for or against any candidate or measure. Excepting several intelligent, independent citizens among them, who quietly favored a city manager, they were rigidly organized against the amendment.

Their organization worked under cover. All that is known is that city employees were heavily assessed for contributions to fight the plan, that anti-city manager literature was left, in several rounds, at nearly every home, store, office and shop throughout the city, that traffic police started to stick "No City Manager No" stickers upon the shields of private automobiles as they passed, but ceased when the *Star* exposed them, that during the ten days before election many city employees neglected their duties to do propaganda work.

Early in the campaign one, R. H. Atkin, head of the League to Preserve Popular Government, came out against the city manager plan. A *Star* reporter endeavored to learn who were members of this League, but all he was informed was that Mr. Atkin was a member and that there were some thousand members. The principal anti-manager literature was published under the name of this mysterious organization.

Two influential lawyers, each of whom had been corporation counsel of the city and one a former mayor, were retained to contest the legality of the city manager amendment. They published a statement that the amendment was illegal, but they decided not to institute the suit until and unless the amendment was carried at the election. They refused, however, to disclose the names of their clients, and during the campaign spoke against and ridiculed the amendment.

DEFEATED BY CLOSE ORGANIZATION OF OPPONENTS

During the preparation of the city manager amendment and before it was finished, city civil service representatives had notified members of the Municipal League that if a clause in the proposed amendment, whereby the city manager had the final decision on dismissals of civil service employees, were eliminated, thus leaving the final decision in such cases with the civil service commission, the civil service employees would not oppose the amendment. This clause remained in, and the amendment had to undergo the strenuous opposition not only of the Civil Service League—the city employees' organization—but also of organized labor which strongly sympathized with the Civil Service League. During the campaign the speakers opposed to the city manager amendment adroitly avoided or soft-pedaled this clause, lest business men and others desiring an efficient administration should be won to the plan thereby.

Under the present city administration, bootlegging, gambling and holdups have alarmed the decent citizens. This condition may not be worse than in some other large American cities, but a sentiment that carried much weight in favor of the city manager plan was that a change could not make conditions worse. The present mayor, who called the proposed city manager plan a joke and who debated against it, had been re-elected in March, 1924. And the firemen and police had succeeded in having an initiative measure carried at the election in November, 1924, increasing their salaries $25 a month, notwithstanding that the minimum salary was $125 a month, and that the city council had offered to allow $10 a month increase.

At the same election, at which the city manager amendment was voted on, three councilmen were elected. They were known or believed to favor a city manager. Their opponents who fought the city manager amendment were beaten by majorities ranging from 7,000 to 20,000. It is believed that a majority of the voters favored the plan, but were divided over details of the amendment. It is the strategy of those who profit by ineffective city government to keep this vote divided. They succeeded at the last election, but another time the people may be forewarned and better advised. At least the sentiment is general that in another campaign a city manager plan will carry.

Throughout the campaign for the city manager plan the work was done mostly by young men or men in middle age, and by clubwomen—men and women without political motives. The father and leading spirit of the campaign for the city manager was James A. Haight, lawyer, who for a generation has been a leader in numerous reforms in the history of the city. Mr. Haight converted his office into the campaign headquarters and devoted practically his entire time to it.

The opponents of the city manager amendment resorted to all kinds of arguments. Their most effective arguments were that the amendment made no provision for an independent officer to check or audit the financial affairs of the city manager, and that the city of Cleveland expended over two million dollars more in 1924 than previously, citing, without further explanation, an article in *Collier's*.

THE LONDON COUNTY COUNCIL ELECTION OF LAST MARCH

BY ROBERT C. BROOKS

The politics of a local election in England and how it is taking on the color of national party alignments. :: :: :: :: :: ::

WITH the London county election of March 5, 1925, the history of that metropolitan body seems destined to enter upon a third stage. It will be recalled that from the first election in 1889 down to 1907 the council was dominated by the Progressives (Liberals), except for a tie with the Municipal Reformers (Conservatives) in 1895. During the second period, from 1907 to 1925, the latter ruled the roost, with the dwindling Progressives as their chief opponents. The supremacy of the Municipal Reformers is left untouched by the election of the present year but from now on they will have as their chief antagonists a militant minority of Laborites. Also as a result of the polling of March 5, the Progressives, so numerous and powerful in the early days of the council have been reduced to such a beggarly fraction that it is doubtful if they will ever again figure largely in the affairs of metropolitan London.

EDITOR'S NOTE. Professor Brooks, is now on leave of absence from Swarthmore College and is devoting his time to a political pilgrimage through Western Europe. He enjoyed the privilege, unusual for an American, of being sworn in as an assistant for the election which he describes, and in this capacity visited in company with the chief retaining officer all the polling places in Westminster. At the recent parliamentary by-election in Walsall he was accorded the same privilege and witnessed every detail of the vote and the count. On April 15, he observed the Belgian general election with its interesting applications of P. R. and *apparentement*, his headquarters for the purpose being the Salle Gothique in the magnificent Hotel de Ville of Brussels. The REVIEW hopes to present an article from the same source dealing with the municipal election in Paris which was held on May 3.

RUSSIA MADE AN ISSUE

It cannot be maintained that the campaign which preceded this striking shift of the political scenery was marked by any of the wild excitement which so frequently enlivens municipal elections in larger American cities. Indeed of recent years L. C. C. elections have been characterized by an extremely low percentage of participation. At the decisive election of 1907, which put an end to the dominance of the Progressives, it was only 55 per cent. In the two succeeding elections the figures hovered slightly above fifty per cent, but in the first election after the war (1919) it actually dropped to 17 per cent. Three years ago it was still under 37 per cent. Nor was the election of 1925 any exception, for official figures just published[1] show that only 30.6 per cent of the qualified voters appeared at the polls.

From an American point of view the amount of newspaper publicity given to the L. C. C. election was quite insufficient to illuminate the rather important issues and interests involved. In the current year, for example, the L. C. C. is expending £36,000,000. Such mention as the newspapers made of the campaign accrued for the most part to the advantage of the Municipal Reformers. At the end of the campaign a few political advertisements appeared in the principal papers. Here also the Municipal Reformers, owing to their larger campaign funds, made by far the greatest showing. One of their last day advertisements, occupying half a page of newspaper space, laid stress, first on Economy,—"L. C. C. rates reduced 1*s.* 3½*d.* in the £"; and next on Efficiency in Health and School Administration, also citing the statement which will be news in New York, that under the control of their party the London fire brigade was "the finest in the world." Finally the advertisement announced that the Municipal Reformers had stopped the use of L. C. C. schools for Socialist Sunday Schools. The London Labor Party, it added, proposed that the council should take over "the bread, meat, milk, etc., supplies," eliminating the small private trader, which would mean "a huge municipal trading concern with hordes of officials and high prices."

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[1] General Election of County Councillors, 5th March, 1925, bulletin No. 2364, published by the L. C. C., April 1925.

Political observers residing in England cannot help being struck by the fact that at present the various political parties seem to be fighting quite as much over what is going on in Russia as over what is going on in England. Thus the advertisement above referred to concluded with the observation that "'Labour' members of the L. C. C. have attempted to get a Communist history of the Russian revolution taught in the Schools, and have advocated a socialist republic in England." In general every effort was made by the Municipal Reformers to capitalize and anathematize the presence on the Labor ticket of a few Communists candidates.

Against the onslaught the Labor Party fought with great vigor. It is, of course, comparatively new in L. C. C. politics, having won its first seat in that body in 1904. The party made a considerable effort in 1922, and was greatly disappointed at the result for it succeeded in electing only seventeen out of one hundred and twenty-four councillors. This year it redoubled its efforts. In the way of journalistic publicity it could count only on a few labor papers of no great aggregate circulation. The capitalistic press of London opposed it, of course, and also suppressed news regarding the policies and activities of the Laborites. On the other hand the latter were particularly busy in organizing voters and in holding campaign meetings devoted to the municipal ownership and social reform policies of the party.

MIDDLE-OF-THE-ROADERS ELIMINATED

Nominations for the L. C. C. election closed on February 25. Only eight seats were left uncontested, among them being the four from the city of London. For the remaining one hundred and sixteen seats a total of two hundred and sixty-eight candidates appeared, one hundred and thirteen being Laborites, one hundred and ten Municipal Reformers, forty-one Progressives, and four running as independents. Forty-nine of the candidates were women. In the election of 1922, Municipal Reformers and Progressives fused in certain areas, but about a year ago the latter decided not to enter again into such pacts—a decision, by the way, which they have since regretted. Owing largely to the failure of the Progressives to muster a full quota of candidates there were only eleven constituencies in which as many as six candidates contested for the two seats. Under such circumstances, of course, the campaign tended to become a straight-out fight between Municipal Reformers and Laborites.

With such short ballots the voting was quite rapid. Most of the polling places were arranged on the one-way plan, a constant stream of voters coming in at one door finding numerous sign posts to guide them, receiving ballots from an adequate number of clerks, marking them promptly, then passing out at the opposite door, all without crowding or confusion. In English elections women seem to vote in a purely matter of fact way. They do not wait for husbands to convoy them or for women friends to accompany them; they come in any old clothes, or it may be in any quite fashionable gowns they happen to have on at the time, often pushing prams, or leading children by the hand or Fido at the end of a leash; they seem to "know the ropes," which are simple enough in all conscience, quite as well as the men. Methods of getting out the vote, checking up on slackers and the like are much the same as in the United States. One fraction in this connection is of special interest. Automobiles may not be hired for the purpose of bringing electors to the polls, but friends of the party may contribute them freely. In this respect again the Municipal Reformers had a great advantage but the Laborites were by no means without Fords and some real cars.

The total number of voters on the registers was 1,914,915, of whom 954,826 were women. As a result of the election the Laborites increased the number of their councillors from 17 to 35; the Progressives dropped from 25 to 6; while the Municipal Reformers, who had held 82 seats before, made a net gain of one seat only. Nevertheless this leaves the Municipal Reformers with a majority over all of 42,—"a feat never previously accomplished in the history of the L. C. C.", as they jubilantly announced. However, their exultation should be somewhat tempered by the fact that never before have they faced an opposition so radical, so determined, and so confident of the future as the Laborites. The election of 1925 is also interesting because of the gain made by women candidates, 21 having been elected as compared with 13 in 1922.

LOCAL AND NATIONAL CAUSES COMBINED

At the first meeting of the newly elected Council, held March 17, the margin of advantage held by the Municipal Reformers was further increased by the choice out of ten new aldermen of six members of that party, as follows: Sir Francis Anderton, Sir John W. Gilbert, Lord Haddo, Mr. S. C. B. Lankester, Lady St. Helier, and Mr. G. H. Walmisley. Three of the new aldermanic seats went to Messrs. R. Coppock, E. G. Culpin, and J. Senri, M.P., of the Labor Party; and one to Mr. W. G. Johnston of the Progressive Party. Of the aldermen at present serving who do not retire until 1928, the Municipal Reformers number seven the Progressives two, and Labor one. In the joint body of councillors and aldermen, therefore, the strength of the three parties is as follows: Municipal Reformers ninety-six; Labor thirty-nine; Progressives nine.

One of the arguments most frequently advanced by the Municipal Reformers during the campaign was that the L. C. C. should be dominated by the same political party as that prevailing in the House of Commons. Otherwise dire conflict was predicted between the Conservative government at Westminster and a radical government in County Hall across the river. Whether these prophecies were justified or not the relative position of the three parties is now much the same in the two bodies. Under the circumstances the Conservative—Municipal Reformers have no excuse for failure. And more than ever the future of metropolitan politics seems likely to follow the same course as that of national politics in England.

NEW COURT DECISIONS ON ZONING

BY EDWARD M. BASSETT

Massachusetts and California report distinct progress; but adverse decisions in Maryland and Missouri emphasize the importance of sound enabling acts. :: :: :: :: :: :: :: ::

ZONING is largely a legal proposition. Consequently a discussion of the recent zoning decisions handed down by the highest courts of Maryland, Massachusetts, Illinois and California is in order.

This country has had nine years of experience in zoning. During this time four necessary requirements of a sound zoning ordinance appear to have been established:—

(1) The state legislature is the repository of the police power and must grant the power to zone to the municipality.

(2) The state enabling act must prevent easy changes in the ordinance. This is usually accomplished by the 20 per cent protest.

(3) The state enabling act must give the power to a discretionary administrative board, usually called a board of adjustment, to vary the strict letter of the law and issue permits in cases of practical difficulty or unnecessary hardship.

(4) After the municipality has received the power to zone, it must in the zoning ordinance treat land and buildings reasonably and see that the regulations are related to the health, safety, morals or general welfare of the community.

MASSACHUSETTS SUSTAINS ZONING

The Brookline and Lowell (Mass.) cases arose before the state enabling act contained provisions as above for a board of adjustment. Nevertheless the supreme judicial court decided both cases in favor of zoning. The Brookline case squarely presented the question whether a one-family detached house residence district on the use map, in which a multi-family house was prohibited, was a valid regulation under the police power. The courts of New Jersey had said no. The lower court in California had said no. Conservative advisers throughout the country had said that this was a dangerous method of zoning, but had looked forward to court decisions that would uphold it. The reason why it was considered dangerous was because it appeared hard to convince the courts that a two-family house in an acre of land was less healthful, safe or moral than the ordinary one-family house. This was the reason given by the courts of New Jersey and the lower court of California. The supreme judicial court of Massachusetts declare that a single family house district on the use map is a reasonable classification under the police power and that it has some relation to health, safety and morals. The court go further and make a pronouncement that is basic in the consideration of zoning. They declare that the question is not whether they approve such a regulation, but whether they can pronounce it an unreasonable exercise of power having no rational relation to the public safety, public health or public morals. This soundly argued opinion by Chief Justice Rugg is the first court decision in this country in favor of one-family detached house districts on the use map, and undoubtedly will for generations be considered as one of the foundation stones in modern zoning.[1]

At the same time this court handed down their decision in the Milton (Mass.) case. This decision is just about as important as the Brookline case. The court declared that the prohibition of a store in a residence district on the use map is a reasonable exercise of the police power. The attitude of the court on this point is vital for zoning. If new stores can be built at will in residence districts and residences can be changed at will into stores, one of the main benefits of zoning is obliterated. The famous Missouri and New Jersey test cases declared that stores could not be prevented in residential districts. The Massachusetts court consider that such exclusion has a real relation to the health, safety and morals of the community. This opinion is also written by Chief Justice Rugg.[2] He it was who wrote the well-known Opinion of the Justices in the early days of zoning in Massachusetts in support of a proposed constitutional amendment for zoning. Some will say that the fact that Massachusetts had amended its constitution in favor of zoning was a factor in bringing about these two decisions. A reading of the Opinion of the Justices and of these two decisions will convince one that it was not.

ENABLING ACTS NECESSARY

The highest court of Maryland handed down their decision that it was unconstitutional to prohibit a tailor shop in a residence district in Baltimore. The decision is tantamount to a declaration that a store cannot be prevented in the state of Maryland in a residence district under a zoning plan. It is noticeable that the three states, Missouri, New Jersey and Maryland, that have arrayed themselves against the protection of residence districts, did not have state enabling acts supplying the essential elements enumerated at the beginning of this article. Missouri had not passed any enabling act for zoning St. Louis before that city adopted its zoning ordinance. The city depended on a charter provision authorizing the control of trades. The court said that this referred to nuisance and non-nuisance uses. Of course, zoning is an entirely different subject from that of common law nuisances. It seems to need a specific enabling act passed by the state legislature authorizing zoning to convince the courts that something more than the segregation of nuisances is intended. New Jersey had a patchwork of zoning enabling acts when its highest court decided that stores could not be excluded from residence districts by zoning. The board of adjustment features, however, were defective and the constitutional test arose on mandamus instead of, as it should, on certiorari. New Jersey now has one of the best zoning enabling acts in this country, and through the instrumentality of the boards of adjustment the courts may begin to favor zoning.

Baltimore adopted its zoning ordinance without any state enabling act for zoning. It depended upon a home rule constitutional provision for Baltimore and the provisions of a home rule charter authorizing the control of trades. The court allow the force of Baltimore's claim to have zoning powers but conclude that the exclusion of stores from a residence district is an unreasonable and unlawful exercise of such power. The history of zoning in this country proves that the courts are more likely to uphold zoning if there is a state enabling act for cities to employ than if the cities depend upon home rule provisions in constitutions.

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[1] *Brett* v. *Town of Brookline,* 145 N. E. 269 (October, 1924).

[2] *Spector* v. *Town of Milton,* 145 N. E. 265 (October, 1924).

Michigan declined to recognize that Detroit had the power to zone itself under a home rule charter authorized by the constitution. The main instruction in the Baltimore case is that courts are not ready to give much weight to charter provisions framed before the subject of zoning had been developed, and which charter provisions are not based upon a state zoning enabling act. The minority opinion in this case is one of the best ever handed down.[3]

ILLINOIS TAKES ANOTHER TACK

The next decision is that of the highest court of Illinois.[4] This case arose in Aurora and also involved the question of the constitutionality of the exclusion of stores from residence districts under a zoning plan. Inasmuch as the ordinance allows existing stores in a residence district to continue, the court declare that under the particular words of the constitution of Illinois they are compelled to hold that a new store cannot be prevented. They say that the state constitution provides that the state legislature shall not pass local or special laws granting any special or exclusive privilege, immunity or franchise whatever. They cite a line of decisions of the courts of Illinois which convince them that the permission of an existing store to continue in a residence district when new stores are prevented is a special privilege of the prohibited order.

Fortunately, most of the other states do not have these words in their constitutions and consequently this decision will have no effect on such other states. It is hard to understand why the continuation of an existing use should be considered a special privilege of the prohibited sort. Certainly it would be a great hardship to oust existing stores constituting an honest and lawful investment in a residence district at the time they were made. Modern cities establish fire limits, but do not cause every existing frame building within the fire limits to be torn down. One might conclude that fire limits are unconstitutional in Illinois. Lord Bacon said: "Since things alter for the worse spontaneously, if they never be altered for the better designedly, how is the evil to stop?" If each zoned municipality in Illinois should amend its ordinance so as to make a small business district out of every lot that contained a store when the zoning ordinance went into effect, then presumably the courts could find no fault with the exclusion of new stores,—at least not on the ground that caused them to decide as they did in the Aurora case. This change can frequently be accomplished by a blanket provision in the ordinance itself without altering the maps. Illinois municipalities are proceeding to do this.

CALIFORNIA SWINGS OVER

The new California decisions of the highest court of that state are so comprehensive and exhaustive that they constitute the turning point in favor of zoning in California. The Miller case,[5] involving a multi-family house in a two-family house district on the use map, and the Zahn case,[6] involving a store in a residence district, were decided against zoning in the court below. These adverse decisions produced consternation throughout the state. Their complete overturn by the highest appellate court has established zoning on a firm foundation. Without copying the Massachusetts decisions the court arrive at substantially the same results and for the same reasons. Too much praise cannot be given to the officials of the state of California who fought these cases to the highest court and won. It is now firmly established in the state of California that reasonable zoning which excludes a multi-family house in a detached house district on the use map, is constitutional, and that the reasonable exclusion of a store from a residence district is constitutional.

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[3] *Goldman* v. *City of Baltimore*. 128 Atl., 50 (February, 1925)

[4] *City of Aurora* v. *Burns*, Supreme Court of Illinois, February 17, 1925.

[5] *Miller* v. *City of Los Angeles*, 234 Pac., 381 (February, 1925)

[6] *Zahn* v. *City of Los Angeles*, 234 Pac., 388 (February, 1925)

These Massachusetts and California decisions are so overwhelmingly in favor of zoning that they may tempt these two states to embark on fanciful and unreasonable zoning plans. These states, as well as all others, will do well to keep in mind that private restrictions cannot be translated into police power zoning with safety, and that zoning must relate to the health, safety and morals of the community and must be reasonable and impartial in its regulations.

WESTCHESTER COUNTY PLANS A NEW GOVERNMENT

BY RICHARD S. CHILDS

Vice-President, National Municipal League

Westchester County will vote on the adoption of a home rule charter in November. It resembles the plan of government of second class cities in New York State. :: :: :: :: :: ::

Westchester is the county which adjoins New York city at the north. It is growing in population, now 500,000 people in a space 25 miles square, and is becoming increasingly urban in character in a hit-or-miss way. Governmentally it is divided into four cities, twenty-three incorporated villages and eighteen townships with the usual weak decentralized type of county government over all, struggling awkwardly with the broad problems of public works and planning aided by much special, piece-meal enabling legislation from Albany. Its only "executive" is a board of 41 supervisors of very mixed quality and possessing no effective authority over the numerous separately-elective administrative officers. Being interested in their towns, they watch town interests rather than the tax rate. The other county officers want funds for their own offices and likewise forget the tax rate.

The real government is centralized, informally by long usage, in a small "Conference Committee" of several of the supervisors and several of the members of the Republican county committee, an honest group at the moment but politically partisan and given naturally to private sessions. Its dominating figure is William L. Ward, a wealthy manufacturer widely respected even by his opponents, whose complaint is that his zeal for progress is colored by an old-fashioned sense of the sanctity of the Republican party. It is this group that secured a constitutional amendment authorizing the legislature to enact new forms of government for Westchester and Nassau counties and prepared this new act which passed the legislature in March and goes by referendum to the people of the county at the November election of 1925.

The charter commission found at the outset that the big unwieldy and ineffective board of supervisors was too firmly entrenched in the affections of the voters of the rural sections of the county to be dislodged or revamped. In those sections the supervisors exercise important and lucrative township functions and are often outstanding local political figures and men of ability. The supervisors from the wards of the four cities are relatively obscure and have no local functions to make the office worth the time of strong men. A further difficulty in dealing with the supervisors was that of working out an acceptable plan of districting for a smaller board and the likelihood of extinguishing the Democratic minority representation in the process. Rather ingeniously, the charter commission accordingly copied nearby examples in Yonkers and New York city, by creating a so-called board of estimate of three members elected at large, and centered in this board much of the power of the supervisors while leaving the latter to continue in existence with diminished powers. The scheme seems to have been politically effective at this writing and illustrates how the popular mind often works—there is little outcry against depriving the supervisors of the bulk of their powers as long as the office and the geographical arrangement remains intact!

A SHORTER BALLOT

The elective officers under the new charter will be:

1. County president, who appoints six department heads.
2. Vice-president, who presides over the board of supervisors.
3. Commissioner of finance.
4. Sheriff.
5. County clerk.
6. District attorney.
7. County judge.
8. Surrogate.
9. Forty-one supervisors as before, elected from townships and city wards.

The first three are elected for four-year terms and constitute the board of estimate.

The election of the next five is required by the constitution. The constitutional amendment did not clearly make it possible to make the sheriff, and county clerk appointive under the county president as would have been desirable.

The following officers, formerly elective, were taken off the ballot:

Commissioner of public welfare—a very important officer in Westchester controlling large institutions—made appointive by the county president.

Coroners—abolished and replaced by a medical examiner appointed (illogically) by the board of supervisors.

Treasurer and
Comptroller—consolidated in the elective commissioner of finance.

THE WHY OF THE BOARD OF ESTIMATE

The board of estimate is, I think, an institution known only in this state.

New York city and most of the second- and third-class cities of the state have it, as it was part of a uniform law applicable to all cities passed a generation ago. In the second- and third-class cities it consists of three elective officers including the mayor, and two of the mayor's appointees, so the mayor controls three votes of the five. There is likewise a board of contract and supply in those cities with a similar arrangement of membership. The board of estimate makes up the budget subject to review by the city council; the latter supervises purchases and letting of contracts. This complex but strongly centered scheme has been locally much admired for the reforms it brought in as compared with the more irresponsible board of aldermen preceding it, but it has not spread to other states and has now given way to commission and city manager charters in some cases. The draftsman for the Westchester county charter commission, having been mayor of Yonkers for several terms, was schooled in that type of charter and copied it with unimaginative fidelity in the earlier drafts. Subsequent whittling lapped off one item after another until in the county charter the board of estimate became one of three members all elective, and the board of contract and supply became identical in membership with the former—a manifest improvement.

The board of estimate receives the estimates gathered by the county president, fixes salaries except those fixed in laws, creates or abolishes positions in all departments including those of the independently-elective sheriff, county clerk, district attorney, etc., and prepares the budget after public hearing for submission to the board of supervisors. The latter has the month of December to conduct hearings also and to diminish or reject any items except salary items. It cannot increase any item or add any new ones or make separate appropriations during the year. The exclusion of salary items is, of course, designed to prevent irresponsible and *ad hominem* slashing of salaries; it is justifiable, perhaps, on practical grounds and on the ground that the board of estimate, also a representative body, has passed the salaries and is more responsible for the resultant tax rate than the supervisors are. The power of the supervisors, as far as it goes, is final; their reductions cannot be vetoed by the county president as the board of alderman's reductions in New York can be by the mayor. Other powers of the board of estimate aside from those that go with the creative process of budget making are investigative, relative to the county's many vast and unsolved problems of highways, sewers, water, zoning and "other matters" for study of which it may create a staff and publish reports. This work, if put into good hands and kept there, may develop into an agency of expert county planning of far-reaching influence, thanks to its detachment from routine operating functions.

Sitting under its other name of board of contracts and supply, this board lets contracts subject to general ordinances enacted by the supervisors. Its secretary replaces the present purchasing agent, and the board may empower him and departmental offices to make purchases under the $500 limit below which public bidding is unnecessary.

THE CHIEF EXECUTIVE

The county president as chief executive gives to the county for the first time an officer comparable to a mayor or governor. He appoints without confirmation the heads of six departments who hold office at his pleasure—public welfare (formerly elective), law (the county attorney, formerly chosen by the supervisors), public works and buildings, engineering, weights and measures, and health, a new department. A department of parks will eventually probably be added when the current creative work of the county park commission in establishing a $10,000,000 park system gives way to ordinary operating functions.

The salary of the county president is fixed at $15,000. His duties are to see that the county offices and departments faithfully perform their duties and see that laws of the state and the ordinances of the supervisors are enforced. He has power to receive and examine into complaints against county officers, examine their books and papers, subpœna witnesses and records and make a monthly audit of the receipts and disbursements of the commissioner of finance. He executes on behalf of the county all deeds and contracts. His inquisitorial powers apply to the independently elective sheriff, county clerk and district attorney as well as to his own appointees, and with his influence in budget making will combine to enable him to enforce economy and efficiency in those offices to at least a better extent than the board of supervisors could. Ideal unity, of course, would call for putting the sheriff and county clerk under his appointment like the other operating departments.

In the hands of a vigorous and ambitious man, the county president is capable of being made a conspicuous and vitalizing office that will emphasize the new unity of the county administration and encourage the growth of the administrative service by the addition of new functions.

TOWNSHIPS NOT AFFECTED

Township government is left untouched by the new charter, a disappointment and cause of criticism of the commission's work among a few who favored more drastic changes. The township governments, decentralized, obscure, easy-going affairs, are inadequate under the semi-urban conditions. Their inefficiency and inadequacy is a perilous weakness in the existing situation. The charter commission obviously feared to stir up a hornet's nest by blowing up the township job-holders and left them strictly alone. This may be good statesmanship and the surest progress. For if the new county government presently develops the strength and technical superiority it is due to, it will grow at the expense of the towns and villages. The central health department should gradually make the little one-horse local health services obsolete and superfluous. The county engineer should acquire an ascendancy over the local amateur committees. It is only necessary to leave the little units as feeble as they are to insure their drying up in the presence of a county-wide service.

Transfer of township powers, also, can proceed more confidently if the county once becomes a safe and solid place to transfer the powers to. At some future date it will be easier to create a county police to replace the town constables or a county court of minor jurisdiction to replace the justices of the peace. The Nassau county charter which will be submitted next November, too, proposes both these reforms forthwith, but there are only three townships there and such earthquakes were easier.

The county government, once it gets established and able to do things without staggering, will acquire by legislation powers not ordinarily entrusted to counties and may begin to provide transit, fire protection, traffic regulation and numerous new services.

The new structure seems strong enough to bear many additional stories, and its piece-meal growth will stir up little opposition.

CHANCES OF PASSAGE

The chances of passage at the referendum in November seem bright. The supervisors themselves passed it with one or two real improvements. The dominant political machine favors it, but may not realize that a machine cannot muster a straight party vote on a referendum as it can on candidates. The county treasurer, whose office is to be abolished, is campaigning for it. There is a talk of the county president being a czar and a shuddering over the "great power" of the board of estimate although their powers in patronage and money barely match those of the corresponding officers in Yonkers or any other city of 100,000. The rural vote, always fearful of strength in government, seems to me to be certain to get wrong-headed about it. Governor Smith has spoken vigorously for it, and that will help with the Democrats.

The League of Women Voters of the county has a divided opinion. Its leaders, apparently without full authority, attacked the charter hastily in the very brief period between the time it was adopted by the commission and the closing of the legislative session at which it was to be passed. On one very important and central point—a double vote given to the county president in the board of estimate—they were sound and their quick publicity secured a last-minute correction. On numerous other points they went astray and uttered some political science quite opposite to the principles enunciated by their national organization in its excellent "Know Your County" pamphlet.

DEFEAT OF MAYOR DEVER'S TRACTION ORDINANCE

WAS IT, OR WAS IT NOT MUNICIPAL OWNERSHIP?

BY CHARLES K. MOHLER
Consulting Engineer

The Chicago municipal ownership ordinance examined by one who opposed it. :: :: :: :: :: :: :: :: ::

On April 7, Chicago voters defeated by a majority of about 105,000, the so-called municipal ownership ordinance for acquiring the local transportation lines.

In 1918, a franchise ordinance for consolidating and unifying the surface and elevated lines under a board of trustee management was rejected by over thirty three thousand majority.

Editor's Note. While the editor cannot wax enthusiastic over Mayor Dever's plan, now relegated to the happy hunting ground of lost causes, he feels that it is only fair to the mayor to remember the restraints upon his bargaining power imposed by legal limitations upon the city, to some of which Mr. Mohler refers.

CITY FINANCIALLY LAME

Chicago is now bonded up to the limit of its borrowing power, about ninety million dollars for all purposes, against its general credit.

But Illinois laws provide for the issuing of certificates for revenue producing public service undertakings, which certificates can be made a lien against the property employed in the undertaking and against the earnings. Through a court decision based on far fetched reasoning, a city may not contract to grant a franchise for the operation of the enterprise in case the city defaults payment on the obligations and the property is sold, therefore the obligations issued by the city can carry no grant of a franchise to operate in case of foreclosure.

The city cannot condemn the property as in that case it must have the cash to pay for it. But it cannot get the cash as the securities issued must be secured by the property and the earnings from operation. The city is thus obliged to find a willing salesman to turn over the property in exchange for securities issued by it against the property sought to be purchased and against the earnings.

COMPANIES' FINANCIAL SITUATION

The present franchise of the surface lines will expire in less than two years at which time their bonds fall due. Without a sale to the city or the grant of a new franchise to enable refinancing, the surface lines will go into receivership.

The outstanding lien bonds amount to over $140,000,000. There are about $31,330,000 of stock or $171,716,712 total securities. (The stock of the south side lines amounts to $30,400,000, nearly all pledged to secure about $21,000,000 of collateral trust bonds.) The total capital account or purchase price to the city is approximately $163,000,000. For each mile of the 993.6 miles of track the average capital account price is about $164,000.

The price to the city named by the elevated lines was $85,000,000. It is $15,000,000 more than was named in the 1918 ordinance.

"POLITICS FOR PROFIT"

It was not expected that the companies would consider the rejection of the 1918 franchise as a final defeat. They began devising other means of transmuting traction exploitation water into gold and still continue in control of the city's transportation system. Accordingly, about four years ago, an alderman announced his discovery of "A financial plan for municipal acquisition of the properties and operation —". The ordinance just defeated was founded on this plan.

It was: That the city acquire and unify both elevated and surface lines; that in payment the city would issue certificates or bonds which would be a lien against the property acquired and the earnings thereof; that the control and management of finances, extensions and operation should be vested in a municipal railway board, the board to consist of nine members, three appointed by the city, three by the security holders or bankers' committee and three to be selected jointly in agreement by the certificate holders' committee and the mayor; members of the board to serve for a term of nine years. No provision was made for the removal of any member of the board either by the mayor, city council or popular recall. The members of the board were only to be subject to removal for misfeasance, in accordance with state law.

Very elaborate provisions were made covering a trust deed for conveying the property to the city, for the issuance of securities by the city in exchange for the property, and for the construction of extensions and acquiring equipment, the mayor being authorized to select a trustee (trust company) to supervise the execution of the various covenants. A very elaborate picture plan was presented for acquiring and unifying both surface and elevated lines, for various extensions of these, and for subway construction and the purchase of all kinds of operating equipment. The sums involved for this program were variously estimated to be between $600,000,000 and $1,000,000,000.

THE RAINBOW OF PROMISE

The chief claims for the ordinance were as follows:

1. That the unification of surface and elevated lines would result in greatly extended and improved service;
2. That the property was worth more than the price agreed upon;
3. That it took the traction question out of politics;
4. That unless this settlement was effected, chaos would result when the surface lines were thrown into receivership early in 1927;
5. That the bankers would not refinance the lines on a twenty year franchise grant;
6. That the properties were to be turned over to the city without the payment of a single dollar;
7. That the only security behind the certificates given in exchange for the property was the property itself and the earnings through operation; such being the case, the security holders could very well demand a voice in the management in order to insure the payment of their claims;
8. That fares during the first year would be seven cents for the entire system and, on account of universal transfers between elevated and surface lines, would in substance be a lower fare than now paid; also at the end of the first year, the fare would be reduced to six cents;
9. That it would mean "a greater, cleaner Chicago. Fewer slums. Better health. Immediate prosperity through employment of thousands in construction work";
10. That it would not increase taxes.

AS THE OBJECTORS VIEWED IT

Some of the objectionable features as pointed out by those opposed to the ordinance were in substance as follows:

1. That, while unification is desirable and better service much needed, the sacrifices proposed to secure these were much greater than the advantages to be gained.
2. That the price demanded for both the elevated and surface lines was much more than the property was actually worth. (Values are discussed more in detail later.)
3. That the ordinance in substance amounted to a perpetual and unregulated franchise grant and that, while the city nominally gained title to the property, in reality the control of financing, construction and operation would still be left in the hands of the present companies.
4. That as far as exercising any control affecting the general welfare was concerned, the question would be taken out of politics. However, in the matter of graft and spoils politics, the question would be immersed and saturated to a greater extent than it has been at any time in the past. As Delos F. Wilcox put it, the traction question would be put in "glorious politics". For the $600,000,000 or more securities to be issued there was a possible margin of 10 per cent in the amount of securities issued over the cost of the property constructed or acquired. There would be not less than about $400,000,000 of

contracts to be let and purchases made. Letting contracts or tipping off inside information to friendly contractors is not an unknown procedure even among such honorable gentlemen as were promised for membership on the municipal railway board. The service would be entirely in the hands of the board, none of whom the city would have any power to remove except through court procedure. The board members might be lazy, inefficient, indifferent, extravagant or mildly corrupt without any possibility of being held responsible to the public will.

5. That, even though the membership of the board were beyond criticism or reproach as individuals, there was still the impossible situation of divided responsibility between the city's representatives and the security holders' representatives. Passing the buck would become a pastime if not a fine art.

6. That, while receiverships are not desirable, still the difficulties resulting were very much magnified. It was claimed that the old companies which were consolidated and unified into what is now known as the Chicago surface lines would be broken up into their old constituent units with separate receiverships and the single fare with universal transfers would be lost. There is no apparent reason why the city should not be appointed the receiver to serve the public interest and welfare and at the same time conserve funds for paying off defaulted bonds. One of the elevated lines in Chicago was in the hands of a receiver for years and its business carried on apparently in the same manner as those not in receivership. Transfers were given to and received from the other elevated lines.

7. From the fact that receivership is inevitable at the expiration of the franchise, it is not apparent why the security holders would not be willing to exchange their present holdings for new securities issued under a twenty year grant. While the mayor was elected largely with the understanding that he would make a settlement of the traction question on the basis of *municipal ownership* and *operation* of the transportation lines, it has not been the expectation or desire that any new franchise grants would be given to the old companies. This declaration of the bankers of their inability to refinance a twenty year grant appears to be purely a bluff.

8. It is not clear why this ordinance prohibited the use of the traction fund accumulated under the terms of the 1907 ordinance as part payment for the property or for the purchase of securities issued in exchange for the property. This fund was provided and collected expressly for the purpose of purchasing the street railways. If this fund were used in the way originally contemplated, it would cover an equity of about 25 per cent of the purchase price of the surface lines stipulated in the ordinance. Again, the city could have used the depreciation reserve of about $14,000,000 to purchase and retire certificates. These two items would have amounted to about $54,000,000 or practically ⅓ of the entire contemplated purhhase price. Now the actual worth of the second hand property is less than $70,000,000. Instead of getting a dollar's worth of property, the city would get only about 40 cents' worth for every dollar paid. The claim that the city was getting an immensely valuable property without establishing an initial equity was not well founded. A dollar's worth of securities in exchange for 40 cents' worth of property ought to establish an equity of 60 per cent.

9. That the demand of the security holders for a voice in the management is not well founded. The present

bondholders have no other security than the property itself and the earnings from operation. They have no voice in the management. At the termination of the franchise, they can lay hold on the real estate and old second hand track, buildings and equipment, without any legal right to operate and earn revenue.

In 1919 Seattle took over the street railway lines and gave in exchange $15,000,000 bonds (about $75,000 per mile of single track) which are a lien only against the property and earnings from operation. The bonds are being paid off at the rate of $833,000 per year.

In Detroit, the proposition was voted upon in 1919 of paying $31,000,000 ($113,000 per mile of single track) for the street railways. The voters turned it down as being an excessive price. In 1922 the property was again offered but for about $20,000,000 (less than $73,000 per mile of single track) and was approved by referendum vote. The city paid $2,770,000 cash and executed a contract to pay the balance in semi annual payments of $500,000 each until Dec. 31, 1931 when the balance of $7,580,000 becomes due and payable out of a sinking fund. The security holders' claim against the city is a contract and a lien against the lines covered in the purchase.

In neither Seattle nor Detroit do the security holders have any voice in the management.

Chicago was asked to pay about $164,000 per mile of single track and then give the security holders equal voice in the management.

It was generally believed that the gentlemen who were to be selected by the bankers to participate in the management would be none other than those who have served the interests exploiting traction in Chicago for several generations.

The term of the certificates could be for thirty, thirty-five or forty years with sinking fund provisions for each period to pay them off at maturity. The forty year certificates with an annual sinking fund of 0.81 per cent was the one popularly discussed. It is thus seen that with no new issues after the initial purchase of the lines it would be at least 25 to 30 years before 51 per cent of the certificates could be paid off and there could be any modification of the control in the city's interest. With the issuing of new certificates the time might be indefinitely postponed. Is not this a new departure in government where the lender steps in and demands a direct voice in the conduct of the government to which he lends money?

10. The fares were absolutely inflexible outside of an increase or decrease of one cent at any time. Five million dollars was to be provided by the sale of certificates for an emergency fund. If this fund fell below $3,000,000 at any time, the fares were to be raised automatically one cent. If it increased to $7,000,000, the fares were automatically reduced one cent.

The fare arrangement precluded tickets sold at less than the cash rate, weekly passes, zone fares, charges for transfers or any other arrangement that experience and public policy might dictate in the interest of the general welfare. An impossible provision to impose on a city that is supposed to own and conduct its transportation service in the public interest.

11. There was nothing connected with the whole ordinance procedure that produced more popular distrust than the intolerant haste in rushing it through committee hearings, through the council and on to a referendum vote. It passed the city council on February 27 with 128 amendments presented by its sponsors. No amendments were given any consideration that were not favorable to the "pro-

gram." No printed copies were available for public distribution until about a week later. That left about thirty days in which to analyze the ordinance and organize opposition before the election. The ordinance comprised 204 pages, while the Detroit purchase ordinance was covered in six pages.

12. The city in conducting its own transportation service through the municipal railway board could only attempt to make the board responsive to public will and policy by conducting a lawsuit against itself. (See paragraph 10, Section 14 of the ordinance.)

13. The ordinance made no specific provision for the construction of subways and possibly elevated and surface line extensions by special assessments. If subway construction is once started without employing special assessments to pay the cost, it will be very difficult to introduce the method on later construction.

THE PRICE ASKED FOR THE OLD PROPERTIES

Values are of such importance as to merit detailed consideration. In some forms of utility service undertakings about 80 per cent of the rates charged go to cover fixed charges on the investment. We are thus reminded that "price" may be of great importance in the success or failure of the undertaking.

The price of $163,000,000 for the surface lines and $85,000,000 for the elevated lines is fully twice what the respective properties are worth. No valuation of the elevated lines was made and the price at which they were offered was apparently that fixed by a willing seller. This discussion will be confined to the surface lines.

In a message to the city council, October 22, 1924, the mayor said: "I felt and now feel that the city should not give $162,702,535.57 in special bonds for the surface line properties." Later, in campaigning for the ordinance and in other public utterances, statements were made that the property was worth much more than $163,000,000 and to get it at that price was a bargain.

In 1917 the companies' attorneys swore that there were from $85,000,000 to $90,000,000 in the capital account that did not represent the value of anything. About two years later, the state public utilities commission indicated that there was at least $45,000,000 in the capital account that was not represented by any property. That was without making any deductions for depreciation, which at that time must have amounted to at least 40 per cent, or a further reduction of about $45,000,000.

After the mayor's message in October, the traction negotiations were handed back to the city council. The council decided to have a valuation made. After conference with the "bankers," a board of appraisal was decided upon. One member was selected by the city, one by the bankers and the third agreed upon by the other two.

The report of the board of appraisal was not made in much detail.

The "*original cost*" figures were given by the low man as $141,773,000, by the high man as $167,180,727.

The "*reproduction cost*" figures were: Low man, " . . . after deducting depreciation . . . $176,300,000"; high man, " . . . reproduction cost less depreciation to be $245,621,621 and $204,308,669 respectively."

The 1907 ordinance created a board of supervising engineers. This board looks after the charges made to capital account. Under its jurisdiction and supervision the $163,000,000 capital account has been built up. The board has never been accused by the public of slighting the companies.

The original cost of the property now used and useful for street railway purposes, as shown by the board of supervising engineers, was little if anything over $93,000,000. Applying *age depreciation* to the depreciable elements leaves a residual value of from $66,000,000 to $68,000,000. This is really a liberal estimate.

By using the peak of war prices, injecting imaginary elements of cost and neglecting the true loss suffered through depreciation, the appraisers presented the claim that the old second hand properties are worth more than the capital account of $163,000,000.

Seattle bought a lot of junk which it had to throw away and replace with new track and equipment at the same time it was paying for the property discarded. Fares had to be raised to 10 cents cash or 8⅓ cents for tickets. When Toronto took over its street railway lines, it paid about four thousand dollars each for some old cars that had to be scrapped as soon as new ones could be procured to take their place. Later, the city was offered ten dollars each for several hundred of these same cars, providing it would load them for shipment.

With the Chicago situation and the experience of other cities, can we take seriously such appraisals? We may well recall the bit of economic political philosophy which Tom Johnson early in his career learned from the president of a steel company, that "—Public interests in contest with private rights were rarely successful." Even so, some of us might have stood for the excessive price, if it had not been for the impossible board of control.

The companies have violated their contract to carry passengers for a five cent fare and have made at least $8,000, 000 extra net profit as a result. They have not complied with their contract to build extensions. They have collected $9,000,000 in returns on the $10,000,000 franchise value. They have been collecting 5 per cent returns on old cable track, cars and power houses long since abandoned and at the same time the full cost of their replacement is charged up against us and we are paying returns on that also.

We are being starved deliberately. It is the old game for which we usually fall. When we are sufficiently starved, we are offered a wonderful picture (repast) for better service and our birth right goes for a mess of potage. It is conceivable that Esau was quite hungry, otherwise he would not have sold out.

Some of us are quite thankful that the traction question is still in politics.

OUR CITY COUNCILS

IV. NEW YORK—THE ECLIPSE OF THE ALDERMEN

BY JOSEPH McGOLDRICK
Columbia University

Another article in our series on City Councils. It shows how the board of estimate, which strictly speaking was not designed as a legislative body, has become the actual legislature, and why. :: :: ::

UNTIL the advent of home rule, New York city was among the unicameral mayor-and-council governed cities. The Charter of 1901, under which the city is still operating, abolished the old bicameral municipal assembly by doing away with the council and entrusting the city's legislative power solely to the board of aldermen which had existed as a lower house for more than half a century.

A UNICAMERAL COUNCIL

Though the charter provides that all legislative power of the city shall be vested in the board of aldermen, no discussion of New York city's legislative equipment would be complete that did not devote at least half its attention to the board of estimate and apportionment, which is indeed the most important and powerful body connected with the city's government. This board has been called the busiest legislative body in the world, which would perhaps be true, if it were a legislative body. The importance and scope of its powers, the multitude of matters and the sums involved far overshadow the work of the board of aldermen in importance and interest to the taxpayers. Strictly speaking, however the board is not a legislative but an administrative body. In many matters both the board of aldermen and the board of estimate must co-operate, but even in these cases their action is complementary rather than joint. For example, the board of estimate prepares and presents the budget but it is enacted by the board of aldermen and it must be noted that the latter board may reduce but not increase items, but if within twenty days this board has not taken final action the budget "shall be deemed to be finally adopted as presented by the board of estimate and apportionment." Moreover, the resolutions of the board of estimate are not subject to the veto of the mayor who is himself the chairman of the body.

THE NEW MUNICIPAL ASSEMBLY

Out of these two bodies the home rule enabling act passed by the legislature in 1924 created a local bicameral legislative body (under the revived name, municipal assembly) to exercise the city's newly granted power to pass local laws. The two boards are in every legal respect equal and coördinate as branches of the municipal assembly. This new body and its work during New York's first year of home rule will not be treated in this article. The present article deals only with the two bodies in their original and distinct capacities, which they retain unimpaired and unmodified by their newly acquired functions.

I. The Board of Estimate and Apportionment

To repeat then, the board of estimate and apportionment is not, strictly, a legislative body. It has been aptly described as the board of directors of the municipal corporation of New York. With the exception of the management of the city's real and personal property which is intrusted to the commissioners of the sinking fund, all of the *business* of the city is subject to control or supervision by the board of estimate. The history of the board is reflected in its title, which becomes clearer when we consider the way in which the board originated. The present board is a descendant of several pre-existing budgetary bodies which extend back at least to the time of the Civil War when a board existed to estimate the expenses of the metropolitan police district, which included the then independent cities of New York and Brooklyn.

COMPOSITION OF THE BOARD

The board of estimate today is composed of the mayor, comptroller, president of the board of aldermen and the five borough presidents. The terms of all members are four years and the election of all takes place at one time. Membership in the board being *ex officio*, the members receive the salaries attached to their individual offices. The mayor and comptroller receive $25,000 a year each; the president of the board of aldermen and the borough presidents each receive $15,000, though their responsibilities are scarcely equal. The members do not, however, have equal voting power. The mayor, comptroller and president of the board of aldermen, the three members elected by the entire city, have three votes each. The borough presidents of Manhattan and Brooklyn have two each and the others one each, making a total of sixteen. All action of the board is taken by resolution adopted by a majority of the whole number of votes. All the members except the mayor and the president of the board of aldermen may be represented at the meeting by their chief subordinates and they frequently are.

TYPE OF MEN ELECTED

The positions which carry with them membership in the board are held in high esteem by politicians and the public. They are the highest honors within the gift of the New York electorate. All the members but the president of the board of aldermen control extensive patronage. The mayor's power of appointment and removal is far broader and more complete than in most cities, though the merit system has been extended to cover all but about 350 of the 80,000 persons employed in the administrative departments. The comptroller heads the largest of these city departments. The budgets of three of the boroughs each exceed $5,000,000, while the smallest, Richmond, spends $1,817,000. Moreover, their work requires large amounts of unskilled labor. On the other hand, all of the eight positions are conspicuous and few machine politicians have aspired to them. Only two of the members of the board since 1901 have been district leaders, though one of the present members is regarded as the unofficial "boss" of his borough. But, while few have stood high in the councils of their party, the great majority have been politically ambitious. And being politically ambitious in New York almost implies being a Democrat. Only three or four of the forty-three members of the board since 1904 have been Republicans. Not that the dominant party has had a free and harmonious reign. Much of the most vigorous and effective opposition has come from independent Democrats whom the fusion of all anti-tammany elements has from time to time succeeded in electing. Even the present membership, the first that has been solidly Democratic, has become famous for its persistent, bitter, and frequently unseemly conflicts between the mayor and the comptroller, both "organization" men.

THE MEMBERS THEMSELVES

The capacity of the members is a bit difficult to estimate. Their most important work and that for which they are individually elected is, or should be, administrative. Even the work of the board is primarily the determination of administrative policies. Yet few of these who have been in the board have had reputations, either in or out of office, as administrators. All but three or four of the ex-members of the board and all but one of the present membership are lawyers. Even as lawyers, however, few have been distinguished in their profession. One is tempted to conclude that they have come from those briefless ranks of the legal profession whose members sometimes develop into professional office-holders. Most of the members have been in the public employ, elective or appointive, during the larger part of their active life. One former member, still in the city's employ, has been on the city's payroll continuously since 1882. The present mayor has been in the city's service since 1906. The office of borough president seems to have escaped the two term tradition. Two former members held office for sixteen consecutive years and one present incumbent is now in his thirteenth year.

The personnel of the board has had a profound influence upon its importance and development in the city's government. Its small membership and the nature as well as the importance of its work keeps it in the public eye and the type of men elected has uniformly been superior in almost every respect to the men elected to the board of aldermen. The result has been a steady growth in prestige and power. The present personnel is regarded by many to be, on the whole, inferior to the usual membership. Its general lack of individual distinction and its supine following of Mayor Hylan's leadership have not been calculated to increase the board's prestige. This, however, may be only a temporary phase. Normally the board contains at least one or two vigorous, well-equipped and independent members who constitute a valuable "opposition".

EXPANSION OF BOARD'S POWERS

The original power of the board and the one from which it derives its name is, of course, the preparation of the budget, to which reference has already been made. Its close contact with this work from the receipt of the departmental estimates in August until the submission of the final budget to the aldermen in November would alone give it a prime place in the government of a city which spends $400,000,000 annually. But in 1901 its powers were further enlarged when the board of public improvements was abolished. This board had consisted of all the officers who were members of the board of estimate and in addition the six commissioners in charge of water supply, highways, street cleaning, sewers, public buildings and bridges. This system had given rise to much suspicion of graft and corruption. It is even said that enterprising politicians took the paving blocks up off the streets and sold them. At any rate, the supervision of highways, sewers and public buildings was decentralized and placed in the hands of the borough presidents and control over all these matters was transferred to the board of estimate. Three years later, in 1905, the control of franchises was added to the jurisdiction of the board. The shadow of this power still resides in the aldermen, but the board of estimate now has power to amend, revise or repeal any franchise granted by the aldermen and it has sole jurisdiction over franchises for the use of streets for purposes of transit or communication. The franchises are granted in the form of a standard contract for a limited term setting forth maximum rates, penalties and security and providing for subsequent renewals after revaluation and reversion to the city without cost, on the termination of the grant, of all fixed assets in the streets. During the last ten years the board has also had charge of the city's zoning regulations. In 1920 when the city employees' retirement system was created, the board of estimate was made trustee with important discretionary powers.

THE SECRETARIAT

Perhaps the most distinctive feature of the board of estimate is the secretarial staff with which it is provided. This organization alone has a budget of $767,000. Of this $600,972 goes to pay the salaries of its staff of 172 members. Besides clerks and stenographers these include title examiners and statisticians and an engineering department of 47 persons. The chief engineer's staff not only acts in an advisory capacity but was recently planning to undertake the actual construction of the Staten Island tunnel under New York Bay.

All of the matters which come before the board are referred to a particular division or bureau of the secretariat for report and recommendation. The very divisions of the secretariat indicate the nature and scope of the work of the board. The most distinctive are the division of franchises, the bureau of contract supervision, the bureau of personnel, the pension division, the bureau of education, and others including, of course, a bureau of records and minutes.

PROCEDURE

The meetings of the board, held every Friday, are well attended, not merely by the curious but by people affected by the proposals under consideration. There are usually several hundred people present and at times five or six hundred crowd into the chamber. When an important matter of interest to some locality or group is up for passage large delegations equipped with badges and banners descend upon City Hall. Those who attend are furnished with copies of the calendar, a document of frequently more than a hundred pages comprising three or four hundred items. Many of these items require public hearings which occasionally lead to heated discussions between members and spokesmen of the public. The taxpayers who want improvements or who object to them because they do not feel they can afford the assessment for them furnish the most numerous group of auditors. Still others come with petitions for transit facilities, or want the zoning regulations changed, or retained, in relation to their neighborhoods. Department heads come with requests for corporate stock for improvements or special revenue bonds for emergencies, or budget transfers, which this board alone is authorized to make. Even the salaries and grades in their offices are established by this board. And the city employee when he reaches the compulsory retirement age of seventy makes application here for permission to remain a while longer.

In some of these matters action by

this body is not enough. They must receive the attention of the board of aldermen, the theoretical repository of the city's legislative power, to which we turn next. But from what has already been said it must be apparent that there really can be only a limited field for the energies of this latter body.

II. The Board of Aldermen

As has been indicated the board of aldermen is not what it used to be. It is a far cry to those bountiful days in the time of Tweed when its membership was known as "The Forty Thieves." Not only has it lost in notoriety, but two generations of charter making have cost it much of its former power and prestige. The board has suffered in almost every respect except, as to the number and salaries of its members.

MEMBERSHIP

The board consists of 65 aldermen, elected for two-year terms, from single-member districts, at salaries of $5,000 per year. The five borough presidents are also members and rarely appearing themselves, are generally represented by deputies, most frequently their commissioners of public works. The heads of the city departments may also attend the sessions without a vote; indeed they may be required to attend if the board so desires. In practise the heads of the mayor's important departments attend very infrequently. The mayor does, however, still exercise his right to initiate ordinances.

POWERS OF BOARD SLIGHT

The aldermen meet regularly, except during summer months, at one thirty on Tuesday afternoons. The meetings rarely last more than two hours. The members are quite regular and tolerably prompt in their attendance. This, plus perhaps another afternoon devoted to committee service and infrequent meetings of local improvement boards, is all that is required of the members. Not all find time even for this.

Most of the powers possessed by the typical city council are not within the province of the aldermen. It will be noted that control over franchises, public improvements and street development are not even shared with this board; while in only a few restricted cases is its approval necessary for the selection of sites for public buildings.

The more important powers of the board of aldermen are financial, and of these the most important ones are shared with the board of estimate. They include approval of the city budget, the authorization of the tax levy, the issuance of *corporate stock* for a few particular purposes and the emergency fund of *special revenue* bonds, and the establishment of grades and compensation of positions. With the unanimous consent of the board of estimate it may release contractors from liquidated damages. Independently, the board has power to authorize purchases without public letting for amounts in excess of $1,000.

ORDINANCE POWERS

Besides these financial powers, the board has a number of minor powers of considerably less significance, which may be dismissed with the briefest mention. It names and renames streets (Hylan Boulevard, Riegelman Boardwalk and Ruppert Place being recent examples). It establishes street markets; grants permits to societies for small arms practice; authorizes churches to build vaults without fee; authorizes advertising displays and parades; and grants other permits for the use of streets. Many of these matters have been gathered together in the code of ordinance which was revised in

1916. This covers building, the use of streets, sanitation, electrical wiring, public markets, and a host of minor matters. Recent boards have been content to leave the code alone, making upon the average no more that ten changes per year, these being matters of the merest detail. The charter of 1901 also contained a conditional repeal of some forty seven sections, provided the board of aldermen covered the subjects by ordinances, but only three such substitutions have been made.

This description would give one indeed a meager and incorrect idea of the board and its functions. The less important powers have become matters of almost individual prerogative, a sort of aldermanic courtesy having grown up, which permits any alderman to secure these blessings for his district without interference on the part of his colleagues. The more important financial powers have almost atrophied.

BUDGET AND TAX LEVY

The most important subject over which the board has jurisdiction is the budget. It may reduce or strike out items but cannot increase them. By the charter 20 days for the discussion of the budget are allowed, with elaborate provisions for its acceptance without the assent of the board at the expiration of this period, but the board actually passes a $400,000,000 budget in twenty minutes. This situation is not wholly the fault of the aldermen. The actual preparation of the budget takes place during the summer months when they are not in session. It is true the departmental estimates are submitted to them in August but by the time they resume deliberations in the fall, the budget is in too crystalized a stage for any criticism to be effective.

Its power to fix the tax rate has degenerated into one of uncritical assent. The comptroller's office not only prepares the information on assessed valuations and the amount required to meet the city budget and the state tax, but it actually prepares the report of the finance committee of the board of aldermen, the members of the committee receiving printed copies less than half an hour before they are expected to sign it.

CONTACT WITH CITY ADMINISTRATIVE OFFICIALS

The nature of its work does, however, throw the board into important relationship with the administrative officers of the city. Each of the mayor's twenty-one departments, every county or borough officer, the officials of the courts, indeed every bureau, board or commission receiving money from the city treasury has more or less frequent contact with the board of aldermen. They must each receive permission from the board to have petty cash funds for contingent expenses. Furthermore the titles and salaries of all positions in their departments must be fixed by this board. Besides this the departments must have a public letting on all expenditures in excess of $1,000 or secure the board's permission to dispense with this requirement, whether they are the purchasing of a $1300 Reo speed wagon, or coal or gasoline to the amount of $20,000 or $50,000.

In this and other respects the department heads are dependent upon aldermanic favor and this tends to bring them and the aldermen together, with results that must frequently be detrimental to the independence of both. There is at least the temptation to throw their offices open to aldermanic influence. While this situation is far from producing the spoils system, it fits nicely into such a system. The aldermen have much leisure and this system may, from time to time, facilitate the endeavors of that well-known provider for idle hands.

THE FUNCTION OF AN ALDERMAN

The board is thus virtually devoid of genuine power and constructive influence in the city government. Few of the matters which come before it are of an important popular character. Few involve policies that are either far-reaching or capable of popular solution. The result is that the work of the board is not interesting even to its members and almost unknown to their constituents. It is doubtful if one ordinary citizen in fifty even knows the name of his alderman, much less what he is engaged in doing at City Hall. If they do have any business with their alderman it is rarely concerning legislative matters, but varies all the way from thoroughly legitimate political guidance to questionable "pull" with other branches of the city government.

THE ALDERMEN, THEMSELVES

The personnel of the board may be imagined from the situation that has been described. In a general sense the membership is representative. The law does not but custom does require each alderman to live in the district which he represents and each alderman is in a measure typical of his district. The social, racial and religious mosaics of cosmopolitan New York are reproduced in the membership. Eight of the members are foreign-born, three coming from Ireland, two from Germany, and one from Roumania, and the other two unrecorded. There is one negro—a lawyer and a Democrat. It is interesting to note further that of the forty-nine native-born, thirty-eight were born in New York city. Twenty-nine members had only grammar school education, while fifteen, including the lawyers, have had something equivalent of college training. A score, or more, are men of no ability or initiative whatsoever—mere proxies of shrewder politicians. But many are men of native quickness, trained largely, in many cases almost solely, in the not-to-be-despised school of experience. Most are in middle life or beyond, the youngest being thirty, and more than a dozen being over fifty-six. It is interesting to note that there has never been a woman elected to the board and few have been candidates except for the minor parties.

A DESIRABLE BIRTH

In experience—or more exactly, length of service—the members present a situation somewhat different from that commonly found in legislative bodies. Thirteen have served for more than five terms, which means ten years of service, and three have been in the board nearly twenty years. The number of new members at the last election was only fourteen in a body of sixty five. It is also interesting to note that nine served in the state legislature before their election to the board of aldermen. Owing to the minority position at Albany of the dominant New York city party, and the smaller salary of only $1,500, paid for a position that takes one away from the city for a period of three or four months and subjects him to fairly heavy strain and expense, it is scarcely surprising that the state legislature is held in less esteem. To this should be added the local political importance of the position of aldermen, which, of course, no alderman overlooks.

PARTY CONTROL

At the present time the majority of the members, 57 in all, not counting the borough presidents who also vote with them, are Democrats. In only four terms since the establishment of

Greater New York in 1899 have the Republicans been in a majority on the board. Their party, now reduced to eight, is too feeble in numbers to be at all effective, and it is doubtful if they even make the most of their small opportunities. On only three of the twenty-nine split ballots during 1924 did the Republicans vote as a unit. Whenever one of their number raise objections to a Democratic measure at least one or two of this colleague are pretty sure to be with the majority. Not that the dominant party, seeking to overbear the opposition, exercises a harsh discipline over its members,—it appears, on the contrary, that their numbers render discipline unnecessary. Measures of no significance whatever becoming party matters at the least word of discussion.

The number of Republican aldermen is of course, quite below the proportion of the Republican vote in the city. The total vote cast for Republicans in 1923 when the present membership was elected amounted to 332,315 or 33 per cent of the total. The district system has frequently in the last twenty years produced gross misrepresentation. At least four times, the discrepancy between the proportion of the vote cast and the number of seats won has exceeded 20 per cent.

SOCIALISTS ELIMINATED

No Socialists were elected to the present board, though their party polled 74,300 votes or 7.6 per cent of the total. Their party grew in members from 1900 until in 1915 it cast 7 per cent of the total vote of the city, but up to that time it did not succeed in electing an alderman. In 1917, however, the Socialist vote more than doubled and seven Socialists were elected. In 1919 their number was reduced to four, and since 1922 there have been no Socialists on the board. There was, of course, a redistricting of certain sections of the city in 1921. The Socialists while members of the board, at their own expense maintained a legislative bureau which provided them with information which enabled them to give a full and critical discussion of the work of the board. The Republicans have not followed this practice.

ARE THE ALDERMEN WORTH WHILE?

The procedure of the board is quite free and above criticism. What work is done is done in standing committees of which there are twelve and the reports of these committees are almost invariably accepted.

The majority, if impatient, is generally fair, and the rules permit all the discussion which the members wish to put forth. This is, however, very little. It is probable that more than two-thirds of the members do not, in the course of a year, ever address the body. More than half never even introduce a resolution of ordinance. The greatest deterrent to debate is not the rigor of the rules or the steam-roller methods of the majority, but the general lack of information and the contempt with which a talker is greeted.

Such is the board of aldermen. For this indulgence to Democratic vanity the people are paying $585,000 a year, two-thirds as much as the cost of the highly trained board of estimate secretariat. From one point of view this sum is more than half a million dollars, greater by far than the entire budget of many small cities. From another point of view, it is *one-tenth of one per cent* of New York city's budget or ten cents per capita.

It is customary in concluding a discussion of any governmental institution, to consider its future prospects, but the future of the board of aldermen is already with us. By the home rule act passed last year by the New York state legislature, the aldermen, in addition to the functions thus far described, became the lower house of the New York city municipal assembly. It is in terms of this, therefore, that the future of the board of aldermen must be discussed.

THE BONDED DEBT OF 207 CITIES AS AT JANUARY 1, 1925

BY C. E. RIGHTOR

Chief Accountant, Detroit Bureau of Governmental Research, Inc.

The report on bonded debts of cities, prepared by Mr. Rightor and the Detroit Bureau of Governmental Research, is now an annual affair. Comparison is now possible with the tables published in the Review for May, 1923, and June, 1924. :: :: :: :: :: ::

THE tabulation presents an up-to-date statement of the total amount of bonds outstanding as a liability by each city, classified as to whether they were issued for general public improvements, schools, or utilities; the sinking fund similarly classified; the net bonded debt; and the per capita net bonded debt. In the last column, the cities are ranked, within the five census groups, according to amount of per capita net debt.

As in previous compilations, the figures do not include special assessments except the city's portion, temporary loans and other current debt. The tabulation ignores the fact that state and local laws sometimes exempt certain issues for various reasons, and includes such issues.

In such compilation it is necessary to limit the scope, and for that reason the classification by purposes cannot be shown in detail, and is available only in the annual reports of the cities. The basis for the per capita figures is the 1920 census. This seems unjust to rapidly growing cities as Los Angeles, Norfolk, and Atlantic City, but the census bureau's estimate for 1925 would not greatly overcome this difficulty, taking no account of recent increases due to annexation, seasonal variation of population, etc. Norfolk added 36,000 population by annexation in 1923, increasing its net debt by $2,652,000 therefor.

RANGE AND TREND OF DEBT

The per capita debt for the cities of the United States ranges from $268.85 for Atlantic City to $8.63 for Quincy, Illinois, omitting Washington which is free from debt. For the Canadian cities, the range is from $375 per capita for Edmonton to $138.33 for St. John.

Yearly comparisons are possible when the present figures are set against last year's. A comparison for the two years was made for fifty-eight of the sixty-eight cities over one hundred thousand population. Of this number, forty-six cities had a total increase of $251,416,648, while twelve cities reported a reduction of $31,485,405. The net increase, therefore, of the fifty-eight cities was $220,231,243. Excluding New York, which reports an increase of $85,975,722, and Washington, which paid off the balance of its debt amounting to $165,609, the average increase for the fifty-six cities was $2,400,000. This would serve to indicate that the policy of the Federal government to reduce its debt and interest charges cannot be so easily applied to growing cities, and it is submitted that the factors entering in the two cases are different. At any event, election returns attest the fact that the people continue to vote bonds for local needs. Some writers urge that the tax exemption feature of municipal issues has encouraged cities to borrow extensively, while others emphasize that the depreciated dollar of to-day as compared with the pre-war dollar exaggerates the debt.

The bald figures do not reveal many interesting facts about the nature of municipal indebtedness, which are disclosed in the questionnaires received. There is a tendency toward the serial bond and the pay-as-you-go principle of financing. Local governments are becoming more and more concerned with the problem of exemptions from taxation, the proportion of real and personal property exempted in all the states constituting, according to one estimate, about one-sixth of the entire tangible wealth of the nation.

SELF-SUPPORTING DEBT

A complete analysis by purposes would indicate the extent indebtedness for self-supporting projects, and a per capita ranking with these deductions would present a different line-up. Utility bonds are largely, though not universally, for self-supporting water and light systems, street railways, docks, etc. This is emphasized with the Canadian cities, which have a relatively high per capita debt. Edmonton has bonds for water, electricity, street railway and telephone; Winnipeg has water, hydro-electric, housing and central heating; and Toronto, in addition to water, hydro-electric and street railway, has debt for hospital and charitable grants and for war purposes.

A statement of the assessed valuation for each city reported in the REVIEW for December, 1924, permits the computation of the ratio of debt to assessed valuation.

This fifth annual compilation includes an increased number of cities reporting. Of two hundred forty-seven cities in the United States, replies were received from one hundred ninety-six, and from thirteen Canadian cities, eleven replies were received. This is gratifying because of the variation in extent of financial control over the data desired, and means added effort by the city officials concerned.

BONDED DEBT OF 207 CITIES AS AT JANUARY 1, 1925

COMPILED BY THE DETROIT BUREAU OF GOVERNMENTAL RESEARCH, INC.

From Data Furnished by Members of the Governmental Research Conference, City Officials, and Chambers of Commerce

City	Census 1920	General improvement bonds	Public school bonds	Public utility bonds	Gross total bonded debt	Sinking fund				Net total bonded debt	Per capita net bonded debt	Rank within group
						General improvement	Public school	Public utility	Total			
Group I *Population, 500,000 and over*												
1. New York, N. Y.[1]	5,620,048	$670,686,909	$129,433,024	$617,162,317	$1,417,282,250	$189,992,003	......	$54,079,986	$244,071,989	$1,173,210,261	$208.75	1
2. Chicago, Ill.[2]	2,701,705	128,125,900	50,000	4,615,500	132,791,400	......	......	......	......	132,791,400	49.15	11
3. Philadelphia, Pa.[3]	1,823,779	180,044,423	38,285,000	69,287,777	287,617,200	59,906,730	$9,682,093	......	69,588,823	218,028,377	119.55	7
4. Detroit, Mich.[4]	993,678	70,134,216	41,219,100	45,646,114	156,999,430	6,666,417	4,299,801	2,415,140	13,381,358	143,618,072	144.53	5
5. Cleveland, Ohio[5]	796,841	75,366,164	27,670,000	35,922,181	138,958,345	15,137,516	3,090,986	3,749,612	21,978,114	116,980,231	146.80	4
6. St. Louis, Mo.	772,897	22,663,000	2,351,000	8,363,000	33,377,000	7,321,839	485,524	176,861	7,984,224	25,392,776	32.85	12
7. Boston, Mass.[6]	748,060	69,072,451	15,160,800	41,816,700	126,049,951	28,382,597	7,398,783	7,787,252	43,568,632	82,481,319	110.26	8
8. Baltimore, Md.[7]	733,826	99,263,396	......	30,748,100	130,011,496	31,368,491	......	4,456,907	35,825,398	94,186,098	128.35	6
9. Pittsburgh, Pa.	588,343	33,174,800	15,529,200	8,272,100	56,976,100	1,171,020	1,556,872	421,931	3,149,823	53,826,277	91.49	10
10. Los Angeles, Calif.[8]	576,673	23,226,425	407,150	75,215,450	98,849,025	1,857,506	20,872	8,449,971	10,328,349	88,520,676	153.50	2
11. Buffalo, N. Y.	506,775	25,807,710	17,543,000	15,864,647	59,215,357	3,084,981	......	2,589,302	5,674,283	53,541,074	105.65	9
12. San Francisco, Calif.[9]	506,676	23,040,000	11,250,000	43,791,000	78,081,000	1,045,600	375,000	1,101,000	2,521,600	75,559,400	149.13	3
Group II *Population, 300,000 to 500,000*												
13. Milwaukee, Wis.[10]	457,147	$26,148,550	$6,937,750	$135,000	$33,221,300	$1,904,500	$528,000	$15,000	$2,447,500	$30,773,800	$67.32	8
14. Washington, D. C.[11]	437,571	......	......	......	......	......	......	......	......	......	......	9
15. Newark, N. J.	414,524	33,611,000	14,743,200	12,632,000	60,986,200	6,351,709	2,502,323	2,048,557	10,902,589	50,083,611	120.82	3
16. Cincinnati, Ohio[12]	401,247	59,220,634	10,100,600	36,799,230	106,120,464	17,146,160	1,727,564	9,019,872	27,893,596	78,226,868	194.96	1
17. New Orleans, La.[13]	387,219	38,176,310	......	......	38,176,310	......	......	......	......	38,176,310	98.59	4
18. Minneapolis, Minn.[14]	380,582	21,724,831	18,166,800	1,842,000	41,733,631	......	......	......	4,455,953	37,277,678	97.95	5
19. Kansas City, Mo.	324,410	10,281,000	15,033,000	7,920,000	31,234,000	2,437,502	4,554,666	......	6,992,168	24,241,832	74.73	7
20. Seattle, Wash.[15]	315,312	12,268,710	8,541,000	39,474,240	60,283,950	584,315	385,650	392,554	1,362,519	58,921,431	186.87	2
21. Indianapolis, Ind.	314,194	14,088,880	10,094,230	......	24,183,110	689,404	......	......	689,404	23,493,706	74.77	6
Group III *Population, 100,000 to 300,000*												
22. Jersey City, N. J.	298,103	$11,583,864	$13,473,000	$19,037,520	$44,094,384	$11,045,775	$1,257,209	$3,616,569	$15,919,553	$28,174,831	94.51	21
23. Rochester, N. Y.	295,750	12,654,600	9,531,290	11,189,500	33,375,390	1,295,882	820,283	1,783,234	3,899,399	29,475,991	99.67	18
24. Portland, Ore.[16]	258,288	24,338,898	3,472,125	14,723,063	42,534,086	1,600,545	......	1,805,793	3,406,338	39,127,748	151.49	4
25. Denver, Col.	256,491	760,000	6,750,000	19,073,600	26,583,600	194,090	......	22,232	216,322	26,367,278	102.80	15
26. Toledo, Ohio	243,164	22,352,000	10,919,000	2,013,000	35,284,000	5,096,403	1,268,107	......	6,364,510	28,919,490	118.93	13
27. Providence, R. I.	237,595	15,313,000	6,547,000	11,078,000	32,938,000	7,046,606	2,310,984	3,802,869	13,160,459	19,777,541	83.24	26
28. Columbus, Ohio	237,031	36,227,416	9,733,250	7,515,000	53,475,666	8,881,742	2,193,557	......	11,075,299	42,400,367	183.10	2
29. Louisville, Ky.	234,891	13,373,500	1,966,400	1,079,000	16,418,900	2,163,913	162,277	312,282	2,638,472	13,780,428	58.67	35
30. St. Paul, Minn.[17]	234,698	10,726,000	7,401,000	6,799,000	24,926,000	1,885,223	......	1,064,002	2,949,225	21,976,775	93.64	22
31. Oakland, Calif.[18]	216,261	2,765,668	7,587,298	1,502,829	11,855,795	254,000	......	......	254,000	11,601,795	53.65	37
32. Akron, Ohio	208,435	12,946,019	7,279,581	10,086,000	30,311,600	1,256,415	239,066	647,644	2,143,125	28,168,475	135.14	8
33. Atlanta, Ga.	200,616	4,711,000	3,921,000	2,980	11,612,000	1,515,364	153,000	604,745	2,273,109	9,338,891	46.55	41
34. Omaha, Neb.	191,601	15,315,088	8,432,000	11,892,000	27,207,088	1,930,586	688,287	2,857,745	5,476,618	30,162,470	157.42	3
35. Worcester, Mass.	179,754	6,104,000	1,464,500	5,499,400	13,067,900	2,361,610	......	2,129,643	4,491,253	8,576,647	47.71	40

36. Birmingham, Ala.	178,806	6,457,500	5,071,000	155,000	11,683,500	127,572	......	......	127,572	11,555,928	64.63	33
37. Syracuse, N. Y.[14]	171,717	7,876,291	6,489,970	4,079,000	18,445,261	......	......	......	953,332	17,491,929	101.86	16
38. Richmond, Va.[19]	171,667	20,627,185	3,385,395	6,438,550	30,451.130	4,367,721	789,061	1,579,046	6,735,828	23,715,302	138.15	7
39. New Haven, Conn.[14]	162,537	10,607,000	830,000	......	11,437,000	......	......	......	669,861	10,767,139	66.24	32
40. Memphis, Tenn.	162,351	11,687,700	4,688,000	8,070,000	24,445,700	602,159	371,046	......	973,205	23,472,495	144.58	6
41. San Antonio, Tex.	161,379	11,005,500	3,318,750	......	14,324,250	543,744	270,957	......	814,701	13,509,549	83.71	25
42. Dallas, Tex.	158,976	8,760,500	5,373,250	7,157,000	21,290,750	947,751	239,718	498,926	1,686,395	19,604,355	123.32	11
43. Dayton, Ohio	152,559	7,574,080	4,730,000	2,374,000	14,678,080	2,132,250	65,000	435,000	2,632,250	12,045,830	78.96	28
44. Bridgeport, Conn.	143,555	7,876,000	3,175,000	......	11,051,000	......	......	......	......	11,051,000	76.98	29
46. Hartford, Conn.	138,036	5,378,481	7,070,600	4,615,000	17,064,081	1,622,345	505,410	399,614	2,527,369	14,536,712	105.31	14
48. Grand Rapids, Mich.	137,634	2,448,500	5,016,100	2,793,000	10,257,600	589,526	675	366,228	956,429	9,301,171	67.58	31
50. Youngstown, Ohio	132,358	8,769,903	4,703,500	1,128,000	14,601,403	1,884,338	677,972	154,170	2,716,480	11,884,923	89.79	24
51. Springfield, Mass.	129,614	10,373,100	4,443,300	1,520,000	16,336,400	113,376	609,067	......	722,443	15,613,957	120.47	12
52. Des Moines, Iowa	126,468	6,004,719	6,059,700	4,625,000	16,689,419	280,303	52,200	147,000	479,503	16,209,916	128.17	9
53. New Bedford, Mass.	121,217	8,797,000	2,897,000	2,372,000	14,066,000	944,549	100,000	1,100,000	2,144,549	11,921,451	98.35	19
56. Nashville, Tenn.[14]	118,342	8,633,000	1,112,000	2,220,000	11,965,000	......	......	......	449,044	11,515,956	97.31	20
57. Salt Lake City, Utah[20]	118,110	3,457,500	3,616,000	2,759,700	9,833,200	66,000	242,396	......	308,396	9,524,804	80.64	27
58. Camden, N. J.	116,309	6,908,045	3,243,500	1,467,675	11,619,220	1,855,430	364,926	705,725	2,926,081	8,693,139	74.74	30
59. Norfolk, Va.[21]	115,777	13,713,165	4,673,448	15,002,887	33,389,500	3,066,262	......	332,990	3,399,252	29,990,248	259.03	1
60. Albany, N. Y.[22]	113,344	10,309,040	......	2,351,500	12,660,540	978,530	......	317,533	1,296,063	11,364,477	100.27	17
61. Lowell, Mass.	112,759	3,618,940	2,209,750	209,750	6,038,440	4,000	......	......	4,000	6,034,440	53.52	38
62. Wilmington, Del.	110,168	8,173,800	840,000	1,490,000	10,503,800	315,350	......	......	315,350	10,188,450	92.48	23
63. Cambridge, Mass.[22]	109,694	8,458,500	......	1,078,500	9,537,000	2,967,355	......	482,669	3,450,024	6,086,976	55.49	36
64. Reading. Pa.[23]	107,784	2,415,500	4,093,900	354,000	6,863,400	179,432	309,822	28,386	517,640	6,345,760	58.87	34
66. Spokane, Wash.	104,437	3,305,000	1,759,000	1,987,000	7,051,000	479,072	587,145	561,799	1,628,016	5,422,984	51.93	39
67. Kansas City, Kan.	101,177	4,403,070	3,145,500	5,988,100	13,536,670	......	83,191	569,563	652,754	12,883,916	127.33	10
68. Yonkers, N. Y.	100,176	7,153,197	5,239,000	2,591,250	14,983,447	......	......	......	......	14,983,447	149.57	5
GROUP IV *Population, 50,000 to 100,000*												
69. Lynn, Mass.	99,148	$2,395,320	$2,036,500	$1,559,500	$5,991,320	$358,740	......	$567,077	$925,817	$5,065,503	$51.09	38
70. Duluth, Minn.	98,917	3,125,000	2,525,000	3,607,000	9,257,000	160,490	......	......	160,490	9,096,510	91.96	21
71. Tacoma, Wash.[24]	96,965	5,021,000	1,637,000	5,940,495	12,598,495	1,357,677	......	12,250	1,369,927	11,228,568	115.80	16
72. Elizabeth, N. J.	95,783	768,500	3,196,850	......	3,965,350	......	......	......	356,620	3,608,730	37.68	50
73. Lawrence, Mass.	94,270	3,066,790	1,834,500	147,000	5,048,290	......	......	16,825	16,825	5,031,465	53.37	36
75. Erie, Pa.	93,372	4,041,000	3,170,000	......	7,211,000	494,570	......	......	494,570	6,716,430	71.93	26
76. Somerville, Mass.	93,091	779,000	800,000	......	1,579,000	......	......	......	......	1,579,000	16.96	58
78. Flint, Mich.	91,599	6,014,500	7,300,000	3,316,500	16,631,000	......	......	130,000	130,000	16,501,000	180.14	5
79. Jacksonville, Fla.[25]	91,558	3,015,500	2,198,000	4,041,500	9,255,000	260,287	$162,684	......	422,971	8,832,029	96.46	20
80. Oklahoma City, Okla.	91,295	4,653,000	5,364,800	5,715,000	15,732,800	1,449,462	1,271,980	1,087,708	3,809,150	11,923,650	130.61	11
81. Schenectady, N. Y.	88,723	4,056,000	3,091,500	509,500	7,657,000	70,226	......	51,458	121,684	7,535,316	84.93	22
82. Canton, Ohio	87,091	5,884,829	7,903,000	1,893,437	15,681,266	1,512,081	206,107	692,920	2,411,108	13,270,158	152.37	7
84. Evansville, Ind.	85,264	1,335,000	1,713,600	804,000	3,852,600	97,329	......	......	97,329	3,755,271	44.04	47
85. Savannah, Ga.	83,252	3,544,000	415,000	......	3,959,000	239,500	......	......	239,500	3,719,500	44.68	46
87. St. Joseph, Mo.	77,939	2,292,000	1,238,000	......	3,530,000	162,000	235,000	......	397,000	3,133,000	40.20	49
88. Knoxville, Tenn.[14]	77,818	9,467,447	488,500	1,987,000	11,942,947	......	......	......	494,200	11,448,747	147.12	8
90. Bayonne, N. J.	76,754	3,410,993	3,060,500	4,057,656	10,529,149	968,072	910,748	......	1,878,820	8,650,329	112.70	17
93. San Diego, Calif.[26]	74,683	4,385,541	2,878,000	12,123,133	19,386,674	105,707	......	259,797	365,504	19,021,170	254.69	2
94. Wilkes-Barre, Pa.	73,833	2,214,900	549,500	......	2,764.400	......	......	......	......	2,764,400	37.44	51
95. Allentown, Pa.	73,502	1,075,000	2,684,500	110,400	3,869,900	54,429	444,230	13,160	511,819	3,358,081	45.69	43
96. Wichita, Kan.	72,217	2,761,520	2,135,000	......	4,896,520	100,000	124,000	......	224,000	4,672,520	64.70	30
99. Sioux City, Iowa	71,227	1,481,000	1,880,000	100,000	3,461,000	79.338	81,175	75,647	236,160	3,224,840	45.28	44
100. South Bend, Ind.	70,983	1,107,500	3,049,000	1,075,000	5,231,500	196,727	......	18,800	205,527	5,025,973	70.80	27
102. Hoboken, N. J.	68,166	5,984,969	3,809,593	279,000	10,073,562	873,501	438,532	46,816	1,358,849	8,714,713	127.85	13
103. Charleston, S. C.	67,957	4,364,000	550,000	3,947,000	8,861,000	39,524	175,939	69,460	284,923	8,576,077	126.20	15

BONDED DEBT OF 207 CITIES AS AT JANUARY 1, 1925—*Continued*

City	Census 1920	General improvement bonds	Public school bonds	Public utility bonds	Gross total bonded debt	Sinking fund				Net total bonded debt	Per capita net bonded debt	Rank within group
						General improvement	Public school	Public utility	Total			
GROUP IV—(*Continued*) *Population, 50,000 to 100,000*												
104. Johnstown, Pa.	67,327	4,297,500	3,045,000	......	7,342,500	......	526,160	......	526,160	6,816,340	101.24	19
105. Binghamton, N. Y.	66,800	2,390,925	2,826,675	105,000	5,322,600	191,235	......	......	191,235	5,131,365	76.81	25
107. Brockton, Mass.	66,254	2,034,096	978,250	1,579,900	4,592,246	......	......	572,482	572,482	4,019,764	60.67	31
108. Terre Haute, Ind.	66,083	915,000	860,000	......	1,775,000	53,800	110,286	......	164,086	1,610,914	24.38	55
109. Sacramento, Calif.	65,908	3,072,300	5,268,000	3,497,960	11,838,260	......	......	......	......	11,838,260	179.62	6
110. Rockford, Ill.	65,651	438,400	1,010,000	400,000	1,848,400	64,500	70,000	50,000	184,500	1,663,900	25.34	54
111. Little Rock, Ark.[27]	65,142	2,020,722	658,000	......	2,678,722	......	......	......	......	2,678,722	41.12	48
114. Saginaw, Mich.[28]	61,903	1,487,700	1,110,500	773,000	3,371,200	32,700	100,000	88,000	220,700	3,150,500	50.89	39
115. Springfield, Ohio	60,840	1,517,441	1,781,492	315,000	3,613,933	391,193	71,181	......	462,374	3,151,559	51.80	37
116. Mobile, Ala.[29]	60,777	1,433,000	500,000	1,734,500	3,667,500	253,505	......	4,162	257,667	3,409,833	56.10	33
117. Altoona, Pa.[30]	60,331	2,339,400	1,775,000	......	4,114,400	589,308	......	157,440	746,748	3,367,652	55.80	34
118. Holyoke, Mass.[31]	60,203	2,247,000	168,500	2,022,000	4,437,500	......	......	479,895	479,895	3,957,605	65.74	20
119. New Britian, Conn.	59,316	1,898,000	2,000,000	1,445,000	5,343,000	213,542	100,838	272,537	586,917	4,756,083	80.18	24
120. Springfield, Ill.	59,183	503,100	595,000	730,000	1,828,100	42,816	......	......	42,816	1,785,284	30.17	52
124. Lansing, Mich.	57,327	2,537,300	......	5,443,100	7,980,400	55,910	......	5,435	61,345	7,919,055	138.14	10
125. Covington, Ky.[14]	57,121	......	348,500	2,499,900	2,848,400	......	......	......	13,085	2,835,315	49.64	40
126. Davenport, Iowa	56,727	1,776,500	1,312,000	205,000	3,293,500	......	106,674	......	106,674	3,186,826	56.18	32
127. Wheeling, W. Va.	56,208	1,950,500	80,000	2,000,000	4,030,500	110,175	......	67,555	177,730	3,852,770	68.54	28
128. Berkeley, Calif.	56,036	576,408	427,500	......	1,003,908	......	......	......	......	1,003,908	17.92	57
129. Long Beach, Calif.[32]	55,593	3,312,211	5,769,666	4,300,000	13,381,877	109,077	434,045	44,499	587,621	12,794,256	230.14	3
130. Gary, Ind.	55,378	855,000	1,799,000	12,500	2,666,500	72,836	......	4,592	77,428	2,589,072	46.75	42
131. Lincoln, Neb.	54,948	556,800	1,883,500	242,500	2,682,800	3,978	10,238	64,000	78,216	2,604,584	47.40	41
132. Portsmouth, Va.	54,387	4,588,600	938,400	3,150,000	8,677,000	201,080	......	537,094	738,174	7,938,826	145.97	9
133. Haverhill, Mass.	53,884	846,000	559,000	130,000	1,535,000	132,329	42,090	258,225	432,644	1,102,356	20.46	56
136. Augusta, Ga.	52,548	3,198,000	......	......	3,198,000	329,410	......	......	329,410	2,868,590	54.59	35
137. Tampa, Fla.	51,608	4,630,500	941,150	2,073,000	7,644,650	1,059,794	......	22,511	1,082,305	6,562,345	127.16	14
138. Roanoke, Va.	50,842	4,266,000	1,900,000	......	6,166,000	377,320	90,374	......	467,694	5,698,306	112.08	18
139. Niagara Falls, N. Y.	50,760	3,911,650	3,909,119	1,475,630	9,296,399	......	......	......	......	9,296,399	183.14	4
140. East Orange, N. J.	50,710	2,007,500	1,929,245	1,562,000	5,498,745	255,146	311,686	669,126	1,235,958	4,262,787	84.06	23
141. Atlantic City, N. J.	50,707	10,822,950	3,689,000	3,379,000	17,890,950	2,251,296	381,635	1,625,347	4,258,278	13,632,672	268.85	1
142. Bethlehem, Pa.	50,358	1,899,000	3,960,000	1,780,000	7,639,000	491,299	632,570	......	1,123,869	6,515,131	129.38	12
143. Huntington, W. Va.	50,177	802,500	1,792,000	......	2,594,500	224,209	122,059	......	346,268	2,248,232	44.81	45
144. Topeka, Kan.	50,022	669,432	89,200	811,000	1,569,632	93,224	22,186	......	115,410	1,454,222	29.07	53
GROUP V *Population, 30,000 to 50,000*												
145. Malden, Mass.	49,187	$2,064,000	$753,800	$37,000	$2,854,800	$429,802	......	$44,490	$474,292	$2,380,508	$48.40	58
146. Hamtramck, Mich.	48,615	1,482,493	2,749,500	......	4,231,993	154,045	$65,728	......	219,773	4,012,220	82.53	29
147. Kalamazoo, Mich.	48,403	220,075	2,169,000	108,300	2,497,375	20,633	......	......	20,633	2,476,742	51.17	54
148. Winston-Salem, N. C.	48,395	7,101,564	2,641,000	2,273,391	12,015,955	......	125,562	......	125,562	11,890,393	245.69	1
149. Jackson, Mich.[14]	48,374	1,850,229	924,000	1,012,875	3,787,104	......	......	......	177,915	3,609,189	74.61	32
150. Quincy, Mass.	47,876	1,791,300	1,339,000	......	3,130,300	......	......	......	......	3,130,300	65.38	42
151. Bay City, Mich.	47,554	401,000	2,370,000	2,245,000	5,016,000	300,949	207,264	......	508,213	4,507,787	94.79	17
152. York, Pa.	47,512	1,095,700	272,500	......	1,368,200	304,938	57,272	......	362,210	1,005,990	21.17	72

Group V—(Continued) *Population, 30,000 to 50,000*											
153. McKeesport, Pa.	46,781	966,000	1,119,000	......	2,085,000	......	......	......	4,984	2,080,016	44.46	63
154. Highland Park, Mich.	46,499	2,236,400	3,477,000	1,354,626	7,068,026	596,334	680,369	527,128	1,803,831	5,264,195	113.21	12
156. Newton, Mass.	46,054	2,710.500	1,229.000	364,000	4,303,500	1,018,312	......	248,114	1,266,426	3,037,074	65.95	41
157. Cedar Rapids, Iowa	45,566	893,100	1,941,000	436,000	3,270,100	......	230,906	......	230,906	3,039,194	66.70	38
158. Elmira, N. Y.	45,393	1,693,300	683,000	2,048,000	4,424,300	......	......	......	......	4,424,300	97.47	16
159. Pasadena, Calif.[14]	45,354	4,124,780	3,585,000	2,559,370	10,269,150	......	......	......	311,039	9,958,111	219.56	2
160. Fresno, Calif.	45,086	788,000	2,500,000	......	3,288,000	......	65,482	......	65,482	3,222,518	71.47	37
162. New Castle, Pa.	44,938	767,000	1,610,000	......	2,377,000	126,063	3,464	......	129,527	2,247,473	50.01	56
164. Shreveport, La.	43,874	2,139,500	2,437,000	2,459,000	7,035,500	177,909	136,883	164,461	479,253	6,556,247	149.43	4
165. Decatur, Ill.	43,818	39,350	1,080,000	667,000	1,786,350	......	234,190	174,492	408,682	1,377,668	31.44	68
166. Woonsocket, R. I.	43,496	6,716,000	150,000	......	6,866,000	1,565,847	47,650	......	1,613,497	5,252,503	120.76	9
168. Chelsea, Mass.	43,184	2,270,410	720,500	......	2,990,910	523,647	224,495	......	748,142	2,242,768	51.94	53
170. Mount Vernon, N. Y.	42,726	4,706,000	2,345,050	1,718,000	8,769,050	......	......	......	288,162	8,480,888	198.49	3
172. Pittsfield, Mass.	41,763	1,089,400	546,000	989,000	2,624,400	......	......	......	......	2,624,400	62.84	45
173. Lakewood, Ohio[33]	41,732	3,091,120	......	167,000	3,258,120	823,772	......	......	823,772	2,434,348	58.32	51
174. Perth Amboy, N. J.	41,707	1,233,350	1,221,400	1,261,000	3,715,750	248,972	226,767	256,558	732,297	2,983,453	71.53	36
176. Lexington, Ky.	41,534	2,197,570	100,000	......	2,297,570	......	......	......	440,041	1,857,529	44.72	61
177. Lima, Ohio	41,326	3,164,100	1,352,402	1,105,800	5,622,302	474,523	......	......	474,523	5,147,779	124.57	7
178. Fitchburg, Mass.	41,029	1,404,800	659,000	446,100	2,509,900	......	46,890	25,188	72,078	2,437,822	59.42	49
179. Kenosha, Wis.	40,472	473,000	1,553,000	387,000	2,413,000	......	......	......	......	2,413,000	59.62	48
180. Beaumont, Tex.[34]	40,422	1,881,250	1,157,900	1,826,000	4,865,150	374,921	125,432	114,838	615,191	4,249,959	105.14	13
181. Stockton, Calif.	40,296	2,434,125	......	......	2,434,125	......	......	......	......	2,434,125	60.41	47
182. Everett, Mass.	40,120	1,202,590	926,500	50,000	2,179,090	340,548	......	......	340,548	1,838,542	45.83	59
183. Wichita Falls, Tex.	40,079	1,666,500	1,346,000	999,000	4,011,500	248,434	7,392	114,557	370,383	3,641,117	90.85	24
185. Oak Park, Ill	39,858	378,000	854,000	140,000	1,372,000	......	......	......	......	1,372,000	34.42	66
186. Hamilton, Ohio	39,675	1,422,121	830,639	1,889,000	4,141,760	......	......	......	202,186	3,939,574	99.30	15
187. Superior, Wis.	39,671	1,012,675	1,240,000	......	2,252,675	......	......	......	230,025	2,022,650	50.99	55
189. Springfield, Mo.	39,631	64,000	750,000	......	814,000	10,439	117,480	......	127,919	686,081	17.31	74
190. Charleston, W. Va.	39,608	1,680,000	2,303,000	......	3,983,000	230,792	224,569	......	455,361	3,527,639	89.06	25
191. Dubuque, Iowa	39,141	1,131,450	1,500,000	375,000	3,006,450	61,000	100,000	......	161,000	2,815,450	71.93	35
192. Medford, Mass.	39,038	1,226,200	1,283,750	64,000	2,573,950	159,000	118,000	......	277,000	2,296,950	58.84	50
193. Jamestown, N. Y.	38,917	735,674	1,465,000	1,250,500	3,451,174	......	......	7,125	7,125	3,444,049	88.50	26
194. Waco, Tex.	38,500	1,754,500	1,288,900	810,000	3,853,400	241,881	108,853	240,124	590,858	3,262,542	84.74	27
195. Joliet, Ill.	38,442	239,000	1,950,000	271,500	2,460,500	......	......	......	......	2,460,500	64.01	43
196. Madison, Wis.	38,378	1,481,100	1,956,668	593,000	4,030,768	473,000	......	......	473,000	3,557,768	92.70	22
197. Brookline, Mass.	37,748	588,080	940,200	157,100	1,685,380	......	......	......	......	1,685,380	44.65	62
198. Columbia, S. C.	37,524	1,334,000	648,000	724,000	2,706,000	......	135,876	73,116	208,992	2,497,008	66.54	39
199. Lorain, Ohio	37,295	2,308,776	1,789,725	826,500	4,925,001	329,445	9,568	195,103	534,116	4,390,885	117.73	11
200. Evanston, Ill.[33]	37,234	407,000	......	458,000	865,000	18,000	......	4,000	22,000	843,000	22.64	71
201. Taunton, Mass.	37,137	1,180,400	553,700	1,310,500	3,044,600	443,358	26,000	328,491	797,849	2,246,751	60.50	46
202. Muskegon, Mich.	36,570	1,479,000	820,000	529,000	2,828,000	50,000	......	60,000	110,000	2,718,000	74.32	33
204. Aurora, Ill.	36,397	10,500	755,000	435,000	1,200,500	......	......	51,761	51,761	1,148,739	31.56	67
205. Waterloo, Iowa	36,230	948,294	1,525,000	457,000	2,930,294	32,794	......	50,000	82,794	......	78.60	31
206. Chicopee, Mass.	36,214	854,800	528,500	396,500	1,779,800	......	......	......	......	1,779,800	49.15	57
207. New Rochelle, N. Y.	36,213	2,812,897	1,828,676	......	4,641,573	......	......	......	222,641	4,418,932	122.03	8
210. Battle Creek, Mich.	36,164	566,000	390,000	......	956,000	......	......	......	......	956,000	26.44	70
212. Hammond, Ind.[14]	36,004	340,451	1,013,540	955,000	2,308,991	......	......	......	14,074	2,294,917	63.74	44
213. Quincy, Ill.	35,978	210,000	155,000	......	365,000	27,000	27,500	......	54,500	310,500	8.63	76
216. Rock Island, Ill.	35,177	194,219	400,000	36,481	630,700	12,853	50,000	......	62,853	567,847	16.14	75
218. Poughkeepsie, N. Y.	35,000	1,168,000	830,350	963,000	2,961,350	54,105	3,845	6,840	64,790	2,896,560	82.76	28
223. Amsterdam, N. Y.	33.524	407,000	1,571,150	368,000	2,346,150	78,071	10,114	33,831	122,016	2,224,134	66.34	40
224. Wilmington, N. C.	33,372	1,802,016	678,000	791,000	3,271,016	28,547	92,887	......	121,434	3,149,582	94.38	18

BONDED DEBT OF 207 CITIES AS AT JANUARY 1, 1925—*Continued*

City	Census 1920	General improvement bonds	Public school bonds	Public utility bonds	Gross total bonded debt	Sinking fund				Net total bonded debt	Per capita net bonded debt	Rank within group
						General improvement	Public school	Public utility	Total			
GROUP V—(*Continued*) *Population, 30,000 to 50,000*												
225. Orange, N. J.	33,268	$2,007,500	$1,929,245	$1,562,000	$5,498,745	$255,146	$311,686	$669,126	$1,235,958	$4,262,787	$128.13	5
228. Ogden, Utah	32,804	1,758,000	968,000	775,000	3,501,000	......	53,800	......	53,800	3,447,200	105.08	14
229. New Brunswick, N. J.	32,779	1,687,382	1,446,000	441,000	3,574,382	490,882	30,500	......	521,382	3,053,000	93.14	21
231. Hazleton, Pa.[33]	32,277	979,000	......	......	979,000	30,112	......	......	30,112	948,888	29.39	69
232. Lewiston, Me.	31,791	894,500	95,000	449,000	1,438,500	......	......	......	225,000	1,213,500	38.17	64
233. Watertown, N. Y.	31,285	1,627,635	790,500	716,000	3,134,135	45,141	54,082	93,371	192,594	2,941,541	94.02	19
234. Columbus, Ga.	31,125	1,455,500	580,000	300,000	2,335,500	38,000	......	......	38,000	2,297,500	73.82	34
236. Green Bay, Wis.	31,017	859,000	931,000	......	1,790,000	......	......	......	......	1,790,000	57.71	52
237. Petersburg, Va.	31,012	2,442,000	500,000	967,000	3,909,000	......	......	......	996,990	2,912,010	93.90	20
238. Sheboygan, Wis.	30,955	295,000	650,000	140,000	1,085,000	......	......	......	......	1,085,000	35.05	65
240. Moline, Ill.	30,734	37,500	271,000	80,000	388,500	1,978	......	......	1,978	386,522	125.76	6
242. Newburgh, N. Y.[14]	30,366	439,385	278,480	828,481	1,546,346	......	......	......	177,748	1,368,598	45.07	60
243. Muskogee, Okla.	30,277	1,954,154	1,330,000	1,120,000	4,404,154	785,555	530,210	665,800	1,981,565	2,422,589	80.01	30
245. Colorado Springs, Col.	30,105	1,098,000	1,295,000	1,194,000	3,587,000	2,112	......	314	2,426	3,584,574	119.07	10
246. Lynchburg, Va.	30,070	1,510,800	899,000	1,603,000	4,012,800	677,328	105,015	449,538	1,231,881	2,780,919	92.48	23
247. Kokomo, Ind	30,067	394,500	264,100	......	658,600	......	......	......	82,726	575,874	19.15	73

City	Dominion census 1921	General improvement bonds	Public school bonds	Public utility bonds	Gross total bonded debt	Sinking fund				Net total bonded debt	Per capita net bonded debt	Rank within group
						General improvement	Public school	Public utility	Total			
CANADIAN CITIES												
1. Montreal, Que.[35]	618,506	$96,178,097	$28,252,791	$29,168,458	$153,599,346	$9,874,409	$2,102,845	......	$11,977,254	$141,622,092	$228.97	5
2. Toronto, Ont.	521,893	46,785,283	23,380,194	103,208,743	173,374,220	13,686,381	3,685,627	$13,369,003	30,741,011	142,633,209	273.30	4
3. Winnepeg, Man.	179,087	9,450,921	8,875,000	23,857,929	42,183,850	3,582,305	1,780,752	4,306,333	9,669,390	32,514,460	181.56	6
4. Vancouver, B. C.	117,217	18,887,804	4,171,900	5,249,351	28,309,055	4,807,721	893,862	1,408,155	7,109,738	21,199,317	180.86	7
6. Ottawa, Ont.	107,843	13,385,365	4,093,636	4,863,912	22,342,913	3,730,701	737,661	1,068,240	5,536,602	16,806,311	155.84	9
7. Quebec, Que.[36]	95,193	16,833,178	130,000	113,000	17,076,178	757,921	29,251	......	787,172	16,289,006	171.13	8
8. Calgary, Alb.	63,305	12,049,390	2,651,350	8,544,346	23,245,086	2,959,701	......	2,796,404	5,756,105	17,488,981	276.25	3
10. Edmonton, Alb.	58,821	13,249,002	3,906,797	11,794,305	28,950,104	2,554,375	238,533	4,099,534	6,892,442	22,057,662	375.00	1
11. Halifax, N. S.	58,372	6,227,801	2,241,233	2,157,260	10,626,294	1,116,272	489,728	......	1,606,000	9,020,294	154.53	10
12. St. John, N. B.	47,166	6,965,321	1,175,500	647,540	8,788,361	2,122,271	141,695	......	2,263,966	6,524,395	138.33	11
13. Victoria, B. C.	38,727	11,190,650	1,354,949	4,130,125	16,675,724	1,425,835	520,408	340,277	2,286,520	14,389,204	371.55	2

NOTES. The cities are arranged in order of population according to 1920 Federal census (Canadian census, 1921).

[1] *New York City.* Public utility bonds include $279,889,989 rapid transit and $68,236,500 docks and ferries; general sinking fund includes school.

[2] *Chicago.* Does not include county or forest preserve district (county) bonds, $24,335,000.

[3] *Philadelphia.* Includes city and county of Philadelphia; general bonds include all bonds issued for work for which special assessments are levied; general and utility sinking funds not separated.

[4] *Detroit.* Public utility bonds include $20,234,000 street railway and $5,411,000 lighting; in addition to the bonded debt there is a street railway purchase contract for $14,580,000, $7,080,000 to be amortized at the rate of $1,000,000 annually and the balance due December 31, 1931.

[5] *Cleveland.* Public utility bonds include $6,867,700 light and power; school sinking fund as at September 1, 1924.

[6] *Boston.* Public utility bonds include $41,566,700 rapid transit.

[7] *Baltimore.* General bonds and sinking fund include school and harbor; utility bonds include $3,914,500 conduits.

[8] *Los Angeles.* Utility bonds include light and power, $24,200,000, and harbor, $22,167,000.

[9] *San Francisco.* General bonds include $3,000,000 for 1915 Exposition; utility bonds include $3,791,000 street railway.

[10] *Milwaukee.* All bonds are 20-year serials; sinking fund reported is amount to be paid off during the ensuing year.

[11] *Washington.* Has no debt.

[12] *Cincinnati.* Utility bonds include Cincinnati Southern Railway, $21,832,000.

[13] *New Orleans.* Bonds not separated by purposes; the city has no sinking fund, different issues of bonds being retired one after another, out of a tax levy.

[14] *Minneapolis, Syracuse, New Haven, Nashville, Knoxville, Covington, Jackson, Mich., Pasadena, Hammond, Newburgh.* Sinking fund not separated by purposes.

[15] *Seattle.* Utility bonds include $2,302,790 light and $2,844,000 water bonds not obligations of the city, with principal and interest being paid from revenues of the utilities; also include $16,743,000 additional light and $14,191,450 street railway bonds; school bonds and sinking fund are 98¾ per cent of total based upon city's portion of the school district valuation.

[16] *Portland.* General bonds include docks; school bonds and sinking fund are 98½ per cent of total, based upon city's portion of school district valuation; utility bonds include $2,729,063 Port of Portland river improvement.

[17] *St. Paul.* General sinking fund includes school.

[18] *Oakland.* General and school bonds issued by city are serial; sinking fund reported is redemption fund on hand; utility bonds are harbor.

[19] *Richmond.* Utility bonds include electric, $300,000, and gas, $3,332,550.

[20] *Salt Lake City.* School debt as at June 30, 1924.

[21] *Norfolk.* Utility bonds include municipal dock and terminal, $6,023,948.

[22] *Albany, Cambridge.* General bonds include school.

[23] *Reading.* School debt as at March 1, 1924.

[24] *Tacoma.* Utility bonds include light, $4,386,000, and street railway, $348,000.

[25] *Jacksonville.* Utility bonds include light, $1,052,500, and docks and terminals, $2,339,000; general sinking fund includes utilities.

[26] *San Diego.* School debt as at July 1.

[27] *Little Rock.* City debt represented by one-year warrants.

[28] *Saginaw.* School debt does not include west side district, which was not reported.

[29] *Mobile.* Utility bonds include docks, $600,000.

[30] *Altoona.* City debt as at January 5, 1925; school debt as at July 7, 1924.

[31] *Holyoke.* Utility bonds include gas and light, $1,370,000, and Holyoke and Westfield Railroad, $191,000; utility sinking fund includes $226,500 stock of that railroad.

[32] *Long Beach.* Utility bonds include gas, $3,000,000.

[33] *Lakewood, Evanston, Hazleton.* School debt not included.

[34] *Beaumont.* Debt as at December 1; utility bonds include abattoir, $25,000, and wharf, $951,000.

[35] *Montreal.* School debt as at June 30; debt is not classified; water debt reported is capital expenditure to date, $27,838,458; balance of utility debt is revenue-producing conduits.

[36] *Quebec.* School debt does not include Catholic School.

RECENT BOOKS REVIEWED

The "Machine" Abolished and the People Restored to Power by the Organization of All the People on the Lines of Party Organization. By Charles C. P. Clark. New York: G. P. Putnam's Sons, 1925. Pp. xxvi, 196.

The aims of this book were defeated in the New York legislature, 1893–94, by Lieutenant Governor William H. Sheehan ("Blue-eyed Billy Sheehan"), then Democratic boss of Buffalo. Sheehan's slogan was, "What will become of us fellows?"

Dr. Clark, a public-spirited citizen of Oswego, New York, devised this plan to improve municipal affairs there.

The scheme was to have all voters drawn by lot (under supervision of the city clerk) into panels of seventy or so. These "primary constituencies" meet separately, discuss their local government matters,—and each chooses an "electoral delegate." The body of delegates then chooses ward officials, within each ward, and, meeting as a whole, chooses all the elective municipal officials. Obvious adjustments can be made to meet varying local facts.

The doctor's son, James T. Clark of the federal trade commission's legal staff, has kept interest alive in the plan. *Collier's* weekly took it up last year as a journalistic stunt and interested several towns. Mr. Clark and the reviewer spent some time in Racine, Wisconsin, last May, and the Association of Commerce there is committed to the adoption of the Clark scheme as soon as authorization can be wormed out of the constitutional technicalities under which LaFollette is governed. An advisory committee is working on that problem.

The aim is to break down the complexities of machine rule, restore representative government, and give the voters decisive voice in politics. If successful locally, the scheme can then be applied in state and nation.

W. L. Whittlesey.

Princeton University.

⁂

Parties and Party Leaders. By Anson Daniel Morse. With an Introduction by Dwight Whitney Morrow. Boston: Marshall Jones Company, 1923. Pp. xlii+268.

The collection of these articles in a single volume is a distinct service. They appeared at different times from 1886 to 1910 and constitute a valuable commentary upon many important aspects of party government. A discussion or criticism of the individual articles, so widely known as they are, would be gratuitous. The volume as a whole, however, calls for some comment and observation. There is running through the articles, the publication dates of which cover a period of twenty-four years, a unity of thought and method that is quite striking. This unity adds great value to the volume and is convincing evidence of the author's philosophical insight into the nature of party government as an essential part of the larger problem of democracy.

The history of party activities in America has been subjected to a searching and keen analysis, and every theory presented is supported by evidence that merits respectful consideration. One may feel occasionally that the evidence is insufficient or capable of some different interpretation, but the conclusions are always suggestive and stimulating. Professor Morse was clearly of the opinion that party development is the product of certain more or less constant traits of human nature in conflict with the inherent problems of democratic government. It follows, therefore, that party activities tend to follow certain fixed principles of human conduct. This is discussed most effectively in his article on "The Natural History of Party," which is essentially a study in political psychology from an historian's point of view. The author has raised some interesting questions which deserve the study of the psychologist and the political statistician. Professor Holcombe's recent book on Political Parties has applied the objective statistical method to some of these problems in an admirable manner.

On the whole the volume is a delightful contrast to so much of the political writing of the last decade, which is neither philosophical, analytical or objective, but purely descriptive in method and speculative in theory. The volume is an admirable approach to the subject of party government for the group of political scientists who are trying to place their discipline upon an objective, scientific basis. For here they will find suggested many fundamental problems the final solution of which calls for the invention and application of a scientific technique. The Introduction by Mr. Morrow is well done and is an illuminating approach to the articles that follow.

Arnold Bennett Hall.

University of Wisconsin.

PUBLIC OWNERSHIP. By Carl D. Thompson. New York: Thomas Y. Crowell Co., 1925. Pp. 445.

This is a survey of public enterprises, municipal, state and federal in the United States and elsewhere written by the secretary of the Public Ownership League of America.

It advocates the public ownership of public utilities and seeks to prove the point by accounts of the operation of various public utilities in many cities and states in this country and abroad. The activities of governments in reforestation, irrigation and in other lines are also discussed.

One aim of the book is to dispel the general belief that adherence to a "safe and sane" political philosophy in this country has effectively prevented government ownership of public utilities. The author cites numerous examples of success in the field of public ownership and tells in glowing terms of the many public utility ventures upon which our cities have embarked. We learn of the huge water supply system of New York city, the street railway systems of Detroit, San Francisco and Seattle, and the municipally-owned electric plant of Cleveland. It borders on amazement to realize that there are so many electric light, water supply and gas systems owned and operated by municipalities in this country. The ownership of a 336-mile railroad by the city of Cincinnati is not the least of our surprises.

The need for determining ownership policy on the merits of each individual case is pointed out, and the dogma that a public ownership policy towards one industry presumes a similar policy towards another is ridiculed.

In sketching the operation of numerous publicly-owned utilities, a few figures and facts about each are cited to justify the public ownership of them. The impression is gained that the writer is more concerned with proving his point than he is with presenting complete and reliable data from which the reader may draw his own conclusions. In most instances sufficient detail about the operation is not given. It is obviously impossible adequately to present the case of a great many publicly-owned utilities of various kinds within the limits of a single volume. An attempt to do so results in an unconvincing array of material.

The text is replete with such uncorrelated statements as "Even in Italy where the situation was most difficult for public ownership to meet, the net earnings of the government roads in 1906–07 were over $9,000,000." One is left to wonder how the net earnings were determined, what the investment was, and why the period 1906–07 is chosen to show the condition of the government-owned roads of Italy.

A notable instance of care and thoroughness is the discussion concerning the publicly-owned Ontario Hydro-Electric system. The operation of this project is quite clearly explained and the facts about it are so well marshalled that a strong case for public ownership is made.

The book should have a popular appeal and may help destroy some false notions concerning public ownership, prevalent in America. It does not profess to give a thorough exposition of the principles underlying the public ownership movement. One regrets that the book does not bring about a closer and more detailed knowledge of its results where tried.

VICTOR G. GOUGH.

New York City.

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THE ECONOMICS OF TAXATION. By Harry Gunnison Brown. New York: Henry Holt and Company, 1924. Pp. xxii, 344.

By the economics of taxation, Professor Brown means the problem of shifting and incidence. The ten chapters, which, in addition to a brief introduction and conclusion, make up his book, discuss the incidence of ten specific kinds of tax. The term "tax," however, is taken broadly enough to include currency inflation and government borrowing, also compulsory insurance of workingmen, as well as imposts on the various forms of wealth and income and on transactions, and the "tariff" on exports and imports. Aside from brief allusions in the introduction and conclusion, there is no treatment of the objectives of taxation, canons of justice or administrative problems.

In point of view the treatment is objective and frankly theoretical; it traces cause-and-effect relations, with practically no statistical or factual material. The economic analysis is at all points careful, thorough and competent, and is stated with admirable lucidity. Only one real error in reasoning strikes the attention of the reviewer, namely, the familiar single-tax heresy that taxes on land value would have any appreciable effect in the way of bringing additional land into use (pp. 217, 232*n*, 239, 266). Perhaps it is not strictly accurate to say, as the author does, that any duty on imports can be entirely free from protective effect on some home industry (p. 290). The argument of Chapter III, Section 10, that the case of goods competitively produced under conditions of decreasing cost is of doubtful occurrence, is unorthodox, but in the reviewer's opinion strictly sound.

The contents of the volume as a whole is matter which publicists and the electorate need to understand and act upon, and generally do not. Yet the book leaves on the reader a feeling of doubt, as if it might have to be classed with a rather large group of works which are not needed by those who can and will read them intelligently, and will not be read or understood by those who need to do so. We question whether the method of problems and discussion is not more effective than systematic exposition, however good, for presenting close and sustained argument to classes. However, this is a splendid book for the special student of taxation, supplementing study of conditions and administrative problems. It deserves more attention and study than it can expect to receive.

Frank H. Knight.

The University of Iowa.

Three Essays on the Taxation of Unearned Income. By Harry Gunnison Brown. Columbia, Missouri: Lucas Brothers, 1925. Pp. x, 173.

This is a revised and enlarged edition of the author's "Two Essays on the Taxation of Unearned Incomes," published in 1921, an argument, fairly describable as "propaganda" for the "single tax." The enlargement is chiefly the addition in expanded form of the author's article on "The Single Tax Complex," published in the *Journal of Political Economy* last year. This essay subjects to critical analysis the arguments against the confiscation of economic rent by taxation as given in a number of text-books on economics. Although—or perhaps because—the reviewer's views on the single tax are altogether negative, he agrees that Professor Brown has "on the hip" those economists who have unwarily accepted the policy of confiscating the *future* increase in land value without perceiving that it is open to every objection made against the general theory, and that of arbitrary inconsistency in addition.

Frank H. Knight.

The University of Iowa.

STATEMENT OF THE OWNERSHIP, MANAGEMENT, ETC., OF NATIONAL MUNICIPAL REVIEW

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The National Municipal League. H. W. DODDS, *Editor.*

Sworn to and subscribed before me this 4th day of May, 1925.

F. GEORGE BARRY,

Term expires March 30, 1927. Notary Public, Westchester County, Certificate Filed in New York County.

ITEMS ON MUNICIPAL ENGINEERING

EDITED BY WILLIAM A. BASSETT.

Wisconsin Cities Now Share in State Auto Fees.—The participation of cities in the apportionment of state revenues for highway purposes obtained from motor vehicle fees and a tax on gasoline, and the elimination of a direct state tax for highways are features of the recently enacted state highway law of Wisconsin. The apportionment of maintenance funds under this statute covers highways under the jurisdiction of every unit of government in the state.

On the state system this allotment is based on road classification and traffic. Thus primary federal aid highways receive $500 per mile, secondary federal aid highways $400 per mile, and the remainder of the state system receives $300 per mile. An allotment of $25 per mile is made for the care of town roads and village streets not included in the state system, and for city streets similarly classified the apportionment is on the following basis: $50 per mile to cities not over 10,000 in population; to cities with a population over 10,000 up to and including 39,000, $100 per mile; to cities with population from 39,000 to 150,000, $150 per mile, and above 150,000 in population the allotment is $200 per mile. In addition those cities which include within their limits sections of state highways receive the same allotment as that provided for the state highways outside of the city limits. A further allotment of $200 per mile is made to counties having county truck highway systems. The balance remaining in the state highway fund is used for administration and construction purposes.

Wisconsin apparently is the first state to recognize, in the provisions of its state highway law, the equity of the cities' claim of the right to participate in the apportionment of state revenues raised for highway purposes. There are many cities in the various states that can with justice demand some sort of financial aid from the state in the maintenance of city streets which constitute links in important state highways. There is need for more legislation along the lines of the Wisconsin statute.

◆

Water Pollution by Coal Mine Drainage Stopped by Court.—The pollution of municipal water supply sources by coal mine drainage has long been a source of trouble to water supply and other city officials. This pollution, on account of its acid character, increases materially the cost of providing water suitable for domestic and industrial purposes, and frequently complicates the problem of sewage treatment. Moreover, the difficulty of regulating pollution from these sources has been enhanced materially both by the attitude of certain coal companies and by adverse decisions of the courts in some cases. For that reason a recent decision of the supreme court of Pennsylvania is of particular interest to water supply men.

According to the Committee on Water Supply and Purification of the American Public Health Association, the essential features of this particular case are as follows: The Mountain Water Supply Company, which supplies the Pennsylvania Railroad system in southwestern Pennsylvania, owns a large impounder reservoir on Indian Creek above which are numerous coal mines owned by the Melcroft Coal Company and other companies. These coal mines discharge acid water into Indian Creek above the reservoir.

A request by the local government to the county court for an injunction against this pollution was denied by that court on appeal, but the supreme court granted the injunction. The decision of the latter court reviews in an interesting way various other precedents and also deals with the rights of riparian owners. It states that "it has always been under our (Pennsylvania) law a nuisance to pollute a stream from which the public gets its water supply." These proceedings deal with the application of the common law and not the violation of any statutes. Whether or not the suit is appealed to the federal courts it is bound to make important history in the matter of control of pollution as relates to protection of public water supplies.

◆

Design and Operation of Imhoff Tanks.—Timely suggestions on the requirements of design and operation of Imhoff tanks were made by Harrison P. Eddy, consulting engineer, in a paper recently presented before the sanitary engineering division of the American Society of Civil Engineers. Mr. Eddy points out that the conditions favorable to the formation of scum and foaming in the sewage accumulated in these tanks are a considerable volume of coarse solids and also a hard water supply with large amounts of insoluble soaps. Conditions unfavorable to producing these phenomena are: the presence of a considerable amount of mineral matter in the sewage such as occurs when the sewage system is of the combined type, passing sewage through fine screens before discharging into the Imhoff tanks, and great depth of tanks. When it is considered that the satisfactory operation of the Imhoff tank process is dependent in large measure on controlling the formation of scum and foaming, the importance of these requirements is manifest.

Mr. Eddy also states that the size of the digestion chambers in the tanks should be determined on the basis of the volume of the solids deposited from the sewage rather than by the method frequently employed, that of assuming an arbitrary volume per capita. The volume of solids deposited is governed to a considerable extent by the prevailing temperatures and particularly the duration of periods of low temperature. Naturally, this demands a considerable amount of research and observation of the character and behavior of the sewage to be treated in advance of the design of the treatment plant. In proceeding with the latter the designer can minimize difficulties of operation by providing for uniform distribution of sludge within the tank or among various tanks. This can be accomplished by designing a relatively short tank, providing for reversal of flow and subdividing the digestion chamber as little as possible. The plant operator can also avoid many of the difficulties of operation by frequent reversal of the flow of sewage through the tanks, drawing the sludge early in the spring and by leaving only the seed sludge in the tank at the advent of cold weather. Sewage treatment is to-day recognized as an important function of local governments in the interest of protecting the public health. Competent design and skillful operation of sewage treatment works are essential if the public is to be efficiently served in this matter. Mr. Eddy's counsel is an aid to the accomplishment of this result.

✱

Public and Private Credit Combined to Build Bridges.—The joint use of public funds and private capital to meet the cost of constructing highway bridges across Arthur Kill, between the states of New York and New Jersey, is the outstanding feature of a plan for financing these enterprises proposed by the Port of New York Authority. That public agency has in contemplation the construction of two bridges between Perth Amboy and Elizabeth, New Jersey, and Staten Island, New York.

The estimated cost of these bridges is $17,000,000 of which, under the arrangement contemplated, the states of New York and New Jersey are to furnish a total fund of $4,000,000. New Jersey's appropriation of $2,000,000 is to be paid in five annual installments of $400,000 each, the first installment to be available during the fiscal year commencing July 1, 1925. New York state has already appropriated $800,000 for the above purpose, $400,000 of which is to be available during 1925 and $400,000 during 1926.

For each of the next three succeeding fiscal years, the plan is for the commissioners of the New York State Bridge and Tunnel Commission to pay to the Port of New York Authority $400,000 from tolls and charges collected from the vehicular tunnel now being constructed under the Hudson River, which it is anticipated will then be in operation.

Funds furnished for these enterprises by the two states are to be repaid by the Port of New York Authority at the rate of 2 per cent per annum and interest charged at 4 per cent being paid on unpaid balances. The remainder of the money required is to be raised by the Port of New York Authority from private capital, not on the security of public credit, but on the security of income earned or earning capacity of these public facilities operated as toll bridges.

This new financial policy is in curious contrast to that in force on two other interstate construction projects, namely the Delaware River Bridge between Philadelphia and Camden, New Jersey, and the above-mentioned Holland Vehicular Tunnel. Funds for the construction of these public works are provided in part out of state appropriations and in part from the sale of bonds. These two projects are likewise to be operated on a toll basis, the income from toll charges to be used to meet cost of their construction and operating expense when completed. There is nothing particularly novel in the use of private capital to finance the construction of public works which are ultimately to be taken over by the state. The recently constructed Bear Mountain Bridge across the Hudson River is an example of this. The unusual feature of the plan of the Port of

New York Authority is its proposal to combine public and private financing methods.

Any particular advantages in the proposed plan of financing over that employed in connection with the Holland Tunnel and Delaware River Bridge, other than that of conserving the public credit, are not apparent. The plan, however, merits careful consideration on account of its possible bearing on future development of policy in the financing of important highway development projects.

◆

Control of Automobile Parking on Rural Highways.—The regulation of indiscriminate motor vehicle parking on city streets has constituted for a considerable time what is perhaps the most vexatious element in effecting adequate control over traffic. Only recently, however, has there been any definite movement towards the enforcement of similar regulation over the use of rural highways. That the need for such regulation is imperative is emphasized in the report of the Committee on Traffic Control of the National Conference on Street and Highway Safety. The committee states that "studies made by the Maryland Department of Public Works of the records of accidents covering several years show that one of the most fruitful sources of accidents on rural highways is the car standing partly on the traveled portion of the highway. This applies even more to cars stopping a few minutes for changing tires or other small repairs, or for conversation with persons alongside, than to cars parked for considerable periods, inasmuch as the operators of the latter usually seek a place well off the roadway. On improved highways there is practically always an opportunity every few hundred feet to get entirely off the traveled portion of the highway, and your committee understands that the Committee on Construction and Engineering will recommend that these places be provided where needed. Your committee believes, therefore, that there should be enacted legislation prohibiting parking or stopping for any period of time on any part of the traveled portion of the highway.

"Roadside garages, gasoline stations, milk stations, refreshment booths and the improvised vending stands of roadside farmers as frequently located are inducements to motorists to stop on or partly on the traveled roadway. If the law is made to prohibit stopping of vehicles on any part of the traveled way at these points the owner of the establishment will automatically be forced to move them back where they will not endanger traffic."

One of the first state highway departments to take appropriate action in respect to controlling motor vehicle parking on rural highways is that of Pennsylvania, which has issued a rule forbidding the parking of motor vehicles in any section of state highway which contains a white traffic dividing line. The phrasing of this regulation is as follows:

> The Pennsylvania Department of Highways has placed white traffic-dividing lines on numerous sections of highways where it is necessary that traffic remain to the right of this line. Presence of the white line is evidence of the existence of unseen danger.
>
> The parking of motor vehicles on those road sections on which traffic-dividing lines are found is a dangerous practice and has resulted in numerous accidents.
>
> From this date, the parking of motor vehicles for any cause whatever is absolutely prohibited within the legal limits of the section of the highway in which a traffic line is found. There are no exceptions to this rule. No car may stop for any purpose opposite the white line.
>
> All persons are warned not to violate the above rule under penalty prescribed in said act, viz: a fine of not less than $10, nor more than $25 for each and every offense.

Other state highway departments could well follow the example of Pennsylvania in this matter.

GOVERNMENTAL RESEARCH CONFERENCE NOTES

EDITED BY ARCH MANDEL

Philadelphia Bureau of Municipal Research.—The Philadelphia Bureau of Municipal Research, which recently prepared an exhibit of its own work and of the welfare work of the city, also recently prepared an exhibit on child welfare for the Third All-Philadelphia Conference on Social Work. The exhibit portrayed the main points in an outline of the factors affecting child welfare. This outline was prepared for the same conference by a committee of Philadelphia social workers, of which Edward T. Paxton, of the Philadelphia Bureau, was chairman. Copies of the outline may be obtained from the Philadelphia Bureau.

A bill for permanent registration of voters in Philadelphia was drafted by the Philadelphia Bureau of Municipal Research. Many features of the Boston and Minneapolis systems were followed. The bill received considerable favorable comment and has the backing of the Committee of Seventy, Philadelphia's principal election-reform organization. But it was expected to serve simply as an educational measure, and did not become law at the recent session.

What is planned as a comprehensive survey of the Municipal Court of Philadelphia was begun by the Philadelphia Bureau on March 30, 1925.

The invitation to make the survey originally came from the court to the Bureau. In order to find a way to finance the study, the Bureau turned to the Thomas Skelton Harrison Municipal Trust of Philadelphia. The Harrison Trustees agreed to finance the study, but the terms of their trust require that they supervise inquiries financed by them. As the situation has worked out, therefore, the Harrison Trust is in responsible control of the survey, but the Philadelphia Bureau is to do the work as the agent of the trust.

A large part of the work will be done by special staff. This is especially true of those parts which include appraisal of the social work of the court. The Bureau is now combing the country for capable persons to head up the various social-work studies. It is expected that the administrative and financial parts of the work will be done in the main, though not entirely, by the regular Bureau staff.

According to the present plans agreed upon by the court, the Bureau, and the Harrison Trust, the survey is to include a study of the following:

1. History, function, and jurisdiction of the court.
2. Organization.
3. Financial control.
4. Purchasing procedure.
5. Department of accounts.
6. Bureau of delinquent accounts.
7. Personnel practice and problems.
8. Domestic relations division.
9. Juvenile division.
10. Misdemeanant's division (male and female).
11. Criminal division (including only the probation work, and work with unmarried mothers).
12. Medical department.
13. Central registration bureau.
14. Statistical department.

The criminal division of the court, except for the work noted in item eleven above, and the civil division, have been eliminated from the survey as involving no problems essentially different from those of the criminal and civil courts of the rest of the state.

More than 575 employes are included in the Municipal Court organization. Its appropriation for personal services for 1925, not including salaries of the ten judges and of numerous employes of the prothonotary, clerk of quarter sessions, and sheriff of Philadelphia county, who are ex-officio officers of the Municipal Court, is $870,000.

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Detroit Bureau of Governmental Research.—H. D. Smith has resigned from the Detroit Bureau of Governmental Research to join the staff of the City Managers' Association and the Kansas League of Municipalities, at Lawrence, Kansas.

W. D. S. Negovetich, who has been on leave of absence from the Bureau for eight months, has returned to the staff.

The Detroit Bureau of Governmental Research is undertaking a detailed study of the benefits and losses arising to Detroit because of the annexation of unsettled territory. Up to this time, frequent annexations have been always approved by Detroit voters. Recently, however, there have been some objections to annexations on the ground that they involve large expenditures, from which no adequate return is received. It is hoped that this study will settle the issues involved for the city of Detroit, and perhaps be of assistance to other growing communities. The report is being prepared at the request of the Detroit Real Estate Board.

⁂

The Tax and Economy Committee of the El Paso Chamber of Commerce.—Hart Cummin, secretary of the Tax and Economy Committee of the El Paso Chamber of Commerce, reports a study on types of roads and pavements, which resulted in an increase in the number of types of pavements allowed in the county of El Paso. This study was made at the request of the county commissioners.

In the city government, Mr. Cummin has followed the operations of the government generally, with particular reference to the operation of the budget system which was installed three years ago under the supervision of the Tax and Economy Committee.

⁂

Toronto Bureau of Municipal Research.—T. Howard Goodwin, a newly appointed executive of the newly founded Bureau of Civic Research of Vancouver, is spending three months with the Toronto Bureau to get in touch with practical bureau work. Mr. Goodwin is a graduate of the University of British Columbia and is a native of the Province of British Columbia.

The work of the Toronto Bureau during the last month has been largely confined to examination of questions which have come before the city council and publicity based thereon. Two open letters were issued, one dealing with Hydro Electric financing, and the other with regard to legislation of the Dominion Parliament which was to confer additional powers on the Harbour Board.

The Institute has been engaged mainly in the compiling of the series on "The Cost of Government in Canada," the first number of which has been issued and the second of which is ready for the press.

⁂

Dayton Research Association.—In co-operation with the City Plan Board, the Dayton Research Association is making a study of proposed annexations of territory to determine on an economic basis how much territory should be annexed.

A salary standardization study has also been started.

⁂

Cleveland Municipal Research Bureau.—The Municipal Research Bureau of Cleveland issued a report upon the "Laws Governing County Finances and Their Administration," with particular reference to Cuyahoga county. Those familiar with the Ohio tax legislation will appreciate the skill with which a most complicated subject has been handled in this study.

NOTES AND EVENTS

Proportional Representation in Danger in Cleveland.—The Cuyahoga Democratic Club of Cleveland has begun the circulation of petitions for the repeal of the proportional representation provisions of Cleveland's new city manager charter. The movement was started by a speech of Newton D. Baker at a recent dinner in honor of Josephus Daniels, ex-secretary of the Navy, in which Mr. Baker attacked the election provisions of the charter.

The Citizens' League in a communication to the Club urged that the amendment be not submitted this year, but that a fair trial should be given to the new method of election. The League pointed out that P. R. had been used but once, and that the council then elected was admittedly the best council chosen in recent years. The Club replied that P. R. is complicated and mystifying; that it results in a growing lack of interest on the part of the voters; that it is an unnecessarily expensive method of choosing a council; and that it has resulted in large areas in Cleveland being unrepresented in the legislative body.

The amendments proposed would divide the council into thirty-three wards, with one councilman elected from each ward on a non-partisan ticket. The council is now composed of twenty-five members elected from four large districts by P. R.

The petitions were put into circulation the last of April and, if the 19,000 signatures are obtained, the special election will be held early in August. Already two newspapers, the *Plain Dealer* and the *Press*, have announced their opposition. The League of Women Voters, the Typographical Union and the Progressive Party group went on record as against the amendment early in May. A number of councilmen have announced their opposition to a change at this time. The chairman of the Republican Central Committee has stated that the committee would take no position on the measure as a committee. Plans are being made for a vigorous campaign in defense of the present charter.

Mayo Fesler.

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New Exit Highways for New York City.—A situation has arisen on Long Island which requires immediate planning to prevent chaotic traffic conditions in the suburbs of New York city and, at the suggestion of Governor Smith, state and local bodies have agreed upon a plan for parkways and boulevards in Nassau county to meet the problems created by the growth of the city and the construction of new city boulevards. The plan arrived at has been presented to the people with the governor's endorsement, and it only remains for the various units to carry it out. The expenses will be borne in part by the state and in part by the county. The governor urges immediate action to acquire the necessary rights of way. Due to the rapidly increasing population, every day that goes by adds to the difficulty and expense of obtaining them.

New York city is constructing boulevards and streets, with a total pavement width of about 700 feet, which will disgorge traffic into Nassau county upon through routes of less than 150 pavement feet. The county roads are thus seen to be wholly inadequate to meet the arduous demand which will be made upon them, and unless prompt action is taken a situation will develop disastrous to the life of the villages and communities in this part of Long Island, and injurious to people going from New York city into the country. Governor Smith therefore calls upon the county to match the highway development within the city proper.

*

New State Police Forces.—The closing weeks of the legislative sessions brought with them the establishment of a state police force in Rhode Island and the extension of general police powers to the state highway maintenance patrol in Illinois.

The Rhode Island statute is sound in its main outlines and follows in a general way the scheme of organization already set up in Pennsylvania, New York and New Jersey. Although the force which has been authorized is of exceedingly modest proportions, the territory for which it will be directly responsible is smaller than many counties and is reasonably compact.

The Illinois statute, on the other hand, opens the way for the employment of seven hundred and fifty patrolmen under conditions which offer no promise of successful administration. There is nothing either in the act or in the circumstances which attended its presentation and passage to indicate that it was conceived in good faith as a means for dealing with the rural crime problem. It is unlikely that competent and well-disciplined police officers will be developed as a result of it. Moreover, the force will almost necessarily be employed in the intensive patrol of state highways, while experience has demonstrated that the remote hamlets and villages frequently demand most attention both as to patrols and criminal investigations.

Bruce Smith.

◆

Milwaukee Civic Center Plans Halted.—The so-called civic center ordinance committing the city of Milwaukee to a grouping of public buildings, approved by the voters in 1920, was repealed at the election on April 7, by a vote of 45,151 to 21,924. The movement which brought about this repeal had its prime incentive not in opposition to the civic center as such, but rather in opposition to an assessment of benefits made principally on account of the widening of Cedar and Biddle Streets which was a part of a larger project of six component elements, one being the civic center.

The parties favoring the repeal, after securing 18,000 signatures to a petition requesting the common council to submit the repeal ordinance to the voters, carried on an intensive advertising campaign.

Civic societies and friends of the civic center made a vigorous fight, but had insufficient funds properly to meet this attack.

As a result of this vote progress on all of the six projects has temporarily halted. These are the civic center, the widening of Ninth Street, the widening of Cedar Street, the erection of a bridge across the Milwaukee River, the widening of Biddle Street and the connection between Biddle Street and Prospect Avenue.

Half of the land in the civic center has already been acquired, including two squares acquired by the county board for a courthouse.

Although the vote is not binding on the county government, the erection of the courthouse has likewise been given a temporary setback.

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Seattle Street Railway "Profits"

To the Editor of the "National Municipal Review":

It seems to me that your interesting story of the Seattle Street Railway, and the profits which you cite,[1] would be a bit more interesting if you printed all the economic facts relative to this municipal-owned railway.

Under the Stone-Webster ownership and management, the Seattle street railways paid in 1918 a tax of $752,736.63. If we should reckon this loss of taxes, your profits would turn into a net loss of about $400,000 for the last year, supposing the tax which the private company paid was the same now as in 1918; it probably would be more.

Then again: We find that there is a net deficit of $616,000 due to the net losses in those years when the city enjoyed a five-cent fare rate. I was in Seattle last year for several weeks, and I paid ten cents fare, which is the rate that the city receives from visitors, as a rule.

Again: If that street railway was under private ownership, the city government would not permit any private corporation to charge above eight cents fare, and on top of this the city would force a tax of $800,000, probably more, and they would force the corporation to pave the streets between the rails, etc., etc.

Lastly: Seattle is far more fortunate in her wonderful water-power advantages than almost any other city in America. Even if Seattle could make net profits on a street railway, it doesn't follow that other cities in this nation could make profits. Private ownership is always more economical than politicalization of any utility.

Haverhill, Mass.

F. G. R. Gordon.

◆

Cleveland's New Municipal Code.—Cleveland, Ohio, has recently republished its general ordinances as a codified volume, enacted into a single ordinance.

A previous codification was made in 1921, but the adoption of the city manager charter, going into effect in 1924, rendered extensive changes necessary in the administrative provisions of the ordinances, and these were found to ramify so far as to make a complete recodification advisable.

The old council foresaw the need of a new administrative code at the opening of the new régime, and undertook to establish an administrative code commission to revise the old and to provide new ordinances as the situation should require. Fred Kohler, the last mayor with the veto power, set out to block this project, and succeeded in delaying it for a number of weeks. While the commission submitted its report on December 31, 1923, it took several weeks longer to get it printed and ready for formal introduction into council. It was necessary to refer the code to numerous committees, and this circumstance, together with the summer vacation, deferred the final passage of the revised code until late in September, and it was put into effect on October 1, 1924.

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[1] *News Item*, p. 326, National Municipal Review for May.

Meanwhile, the provisions of the code which were necessary immediately to facilitate administration under the new form of government were introduced and passed as separate ordinances, later to be repealed when incorporated into the code as passed.

In preparing the code it was found that by no means all the general ordinances enacted since the Municipal Code of 1921 had been properly keyed into that code. Some had been passed as amendments to prior ordinances which had been incorporated into the 1921 code, the original ordinance being then repealed. Some had been passed as new ordinances, with no cognizance taken of the existence of a code. The records were carefully searched and such ordinances were properly fitted into the new code. Especial care is being taken to prevent the recurrence of such a situation, by requiring all new ordinances of general nature to be keyed into the new code as passed. It is planned to issue annual supplements, assembling all amendments and new sections in effect at the time of issue.

The administrative code commission employed as its secretary, Emmett L. Bennett of Cleveland. He not only suggested a great deal of the new matter in the administrative code, and drafted whatever was required, but also undertook the work of checking out the changes previously made, so as to assure the accuracy of the code as finally passed. He also prepared the comprehensive index to the new code for its publication in book form.

Clayton C. Townes,
Mayor of Cleveland.

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Home Rule Litigation in New York.—Though the cities of New York state have possessed home rule powers for at least a year, less than one hundred and forty laws have been passed by the fifty-nine cities in the state, and indeed twenty-four, including cities as large as Utica, Albany and Poughkeepsie, have made no use whatever of their newly acquired powers. The output itself of local legislation has been most noteworthy for its paucity and insignificance. Perhaps this is due to caution and to the praiseworthy efforts of the supporters of home rule to see that the movement is not discredited. It might also be mentioned that municipal elections occur throughout the state this year.

The first important decision involving the home rule amendment was handed down May 11. This decision covered two taxpayers' actions brought to restrain New York city from undertaking to engage in the municipal operation of buses under a series of four local laws passed in January of this year. Buffalo, which has passed a similar local law, was also represented.

The first of these cases, *Browne* vs. *The Board of Estimate*, not only attacked the local operation of buses but sought to prove that the home rule amendment itself and everything based upon it was invalid. It was contended in the first place that the resolution amending the constitution was not entered in the Legislative Journals in full, but merely by title. The second objection relates to the requirement in New York that a constitutional amendment be passed by two successive legislatures. Concerning this it was insisted that an amendment ratified by the people in November of 1922 nullified the home rule amendment which had been passed by the legislature for the first time during the previous session. One difficulty with both these objections was that the same could be said with regard to several recent, important amendments including some providing for bond issues. The court held that a descriptive entry "seemed sufficient," and that it could find no warrant either explicitly or by implication for the second contention.

The other suit, decided in the same opinion, accepted the validity of home rule, but argued that the powers granted to the city under home rule do not embrace public utilities.[1]

It need only be recalled that the city's powers are restricted to its "property, affairs and government." This phrase was used previously in the state constitution in connection with the requirement that all special city bills which were defined as those relating to "property, affairs and government" must be accepted by the mayor of the city affected.

Two cases, *Admiral Realty Company* vs. *City of*

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[1] The scope of the New York home rule amendment was covered in the National Municipal Review for April by Laurence Tanzer.

New York, 206 N. Y. 110, and *In re McAneny* vs. *Board of Estimate*, 232 N. Y. 377, decided before the passage of the home rule amendment held that acts relating to public utilities need not be submitted to the city even though both the cases involved acts which applied only to cities with more than a million population, which could only mean New York city. The deliberate inclusion of this phrase in the home rule amendment indicates, so it is contended, that public utilities were not comprehended in the grant. This contention the court also overrules, explaining that in the two cases mentioned the statutes were sustained as general laws, though it might be added that at the time of these cases general law meant a law that did not apply to "property, affairs and government." The court further finds that in the case of *Sun Printing & Publishing Company* vs. *the Mayor*, 152 N. Y. 257, it was held that subways, *i.e.* public utilities, were a city purpose. But this case arose over the question of whether the employment of city funds and credit for subways was a proper purpose and did not relate to the question whether public utilities were within the sphere of city or state control.

This decision is not final, and steps have already been taken for a speedy appeal to the higher courts of the state.

Though the advocates of home rule have prided themselves on having thus far generally escaped litigation, the broad and general nature of the grant makes resource to the courts inevitable. Perhaps the advocates of home rule should really welcome, if not the occasions, at least the opportunity for authoritative court interpretation. The discovery of the real meaning of the phrase "property, affairs and government" can only be made by the courts, and it is best obtained by having litigation proceed step by step with legislation.

Joseph McGoldrick.

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Depreciation Reserve of San Francisco Municipal Railway.—A detailed study and report on the depreciation requirements of the San Francisco Municipal Railway has been completed by the San Francisco Bureau of Governmental Research.

"The depreciation of the Municipal Railway or any similar property is a day-by-day wearing out of cars, motors, wire, track, roadbed and other components, due to service or time or both," the report declares. "It is an operating cost as certainly and as directly as the wages of the men who operate the property.

"The proper handling of the cost of depreciation is always complicated, however, by the fact that, while the costs accrue daily, the actual expenditures are postponed until the end of the life of the various component parts."

The report sums up the bureau's complete study of the problem with the following enumeration of points:

1. The depreciation fund balance, as of June 30, next, the end of the current fiscal year, should amount to approximately $2,900,000 to insure the future replacement of the component parts of the property, as these wear out in service, or due to age.

2. The property, being new, has to date required expenditures for replacement purposes, chargeable to depreciation, of only $136,000.

3. With a present depleted balance in the depreciation fund, provision should be made for the reconstitution of this fund in any proposal by the supervisors of a bond issue for railway purposes.

4. With provision made for an adequate balance in the depreciation reserve fund, equivalent to the accrued depreciation of the various parts of the property, a sum approximately $287,000 a year should be set aside to cover annual depreciation.

5. The $287,000 annual charge proposed is approximately 4.9 per cent of the "depreciable property" of the Municipal Railway, which is considered as 78 per cent of the cost of the whole property.

6. That the annual charge for depreciation purposes should be set up at 4 per cent of the cost of the property, exclusive of the cost of the land.

The Bureau believes that the proper method of estimating depreciation requirements is on the basis of reproduction costs.

It has been the practice of the San Francisco Municipal Railway to set aside 18 per cent of gross revenues for a so-called depreciation fund. This fund has even been drawn for bond redemption, accident and damage claims, operating deficits and other non-depreciation expenditures, so that the net balance for depreciation purposes has averaged only 5.6 per cent of gross revenues. Counting other appropriations which have been made from the fund but which are as yet unexpended, the actual depreciation fund approximates at present only ½ per cent of gross revenues.

At the end of last December the balance in the fund was $1,125,000. Against this are appropriations for extensions and betterments amounting to $1,540,000, resulting in a contingent deficit instead of a balance of $2,900,000, which the Bureau believes the fund should contain.

It is admitted that 18 per cent of gross revenues have been set aside each year, but that this has been used largely for extensions, bond redemption, accident claims and operating deficits. It appears, however, that the amount expended from revenues for bond redemption, extensions and betterments has equalled reasonable depreciation on existing properties, and if so the shortage in the depreciation fund will be considered by many as of little significance or importance.

The basis of estimating depreciation, adopted by the Bureau, is debatable. It is also questionable whether it is fair to ask a street railway to maintain full depreciation reserves when bond redemption and extensions financed from earnings are at least equal to depreciation. Without passing judgment upon the financial policy of the San Francisco Municipal Railway, we feel that the standards of judgment of the San Francisco Bureau are unusually difficult. Most privately owned street railways do not attempt to retire bonds from earnings and very few, if any, have undertaken to maintain depreciation funds upon anything like the basis here proposed.

✣

Milwaukee Service-at-Cost Contract Defeated.—The service-at-cost contract proposed between the city of Milwaukee and the local electric utility was defeated at the polls on April 7 by a two-to-one vote.[1]

The contract proposed was the result of a five-year negotiation by a committee of citizens and aldermen appointed by the president of the common council together with representatives of the Electric Company. It embodied several features which are unique in such contracts.

Among the provisions of the contract were the following:

The establishment of intermediate local regulation through a utilities commissioner between the people and the state commission.

The establishment of rates for all services at cost with a reasonable return to the company.

The substitution of an automatic revision of rates for the present cumbersome and inadequate method of appeal to the state railroad commission.

The definite establishment of the valuation of the properties of the company for rate-making purposes. This valuation was based on historical cost.

Excessive reserve accumulations were to accrue to the benefit of the users by reducing the rate base.

An incentive to economical financing was provided by assuring the company one-half of the increased differential resulting from a lower interest rate on borrowed money.

The contract lacked a direct incentive to efficient management, but with the present management and the constant audit and check which the city was to have on the affairs of the company it was felt that the tendency toward inefficiency would be less under the contract than at present.

The contract was submitted to the common council on September 15, 1924, and public hearings, which were but poorly attended, were held at intervals throughout the winter.

The committee which drafted the contract made every effort to bring its merits to the attention of civic organizations and the public generally.

One newspaper violently opposed the contract and certain interests ran large paid advertisements in the newspapers.

The paid advertisements appearing in the newspapers contained statements frequently misleading and tended to arouse the latent antagonism to the Electric Company.

Friends of the contract were unable to meet these advertisements in a dignified way, nor had they the funds to do so. The reasons why the contract was defeated can probably be summed up as follows:

1. A feeling that it was a step toward municipal ownership.
2. A fear that it would subject the utility to political manipulation.
3. That the contract must be disadvantageous for the city since it was acceptable to the company.
4. The fear on the part of some interests that the company's employees might be unionized.
5. Suspicion of the company aroused by adverse advertising.
6. The voters were apathetic to a change since no acute situation existed demanding a change,

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[1] For a fuller description of the proposed contract see he REVIEW for January, 1925.

as was the case in many cities when service-at-cost contracts were adopted.

✣

Exposures in Detroit City Government.—Detroit has been receiving much national publicity recently over exposures, or alleged exposures, of graft in her municipal government. Persons in position to know, believe that the corruption has been greatly exaggerated, and reports in the Hearst press, colored by local political motives, should be discounted heavily.

About the time the present mayor, John W. Smith, took office last November, it was discovered that the superintendent of street cleaning had signed vouchers certifying that several thousand yards of cinders had been delivered to the city, that payment had been made of $7,500, and that there was no record of the delivery of the cinders. This fact was played up in the papers and the money refunded. As is natural in a heated political campaign, there had been a good deal of gossip about maladministration, and as a result of this exposure, plus innuendos, Mayor Smith requested the prosecutor to ask for a one-man grand jury. The judge selected was the Honorable Frank Murphy, whose election had been espoused by the newspaper supporting Mr. Smith for mayor. The investigation for the grand jury was done largely by William Curran, budget director of the city, and by the staff of his bureau.

Naturally there were a great many anonymous letters and the publication of a large amount of material that had apparently been gathered by one of the newspapers during the campaign. This carried front-page publicity for weeks and was distasteful to all concerned.

The findings of the grand jury may be summed up briefly as follows:

1. The owners of the Detroit Asphalt Paving Company were accused of conspiracy in connection with street paving. This company has had a substantial monopoly of asphalt paving for many years, a situation that has been repeatedly commented upon in the press and other grand jury proceedings. Judge Murphy recommended the dissolution of the company and the prosecution of its owners, who are all contractors. Civic organizations have been working actively for the establishment of a municipal asphalt plant and independent competition by the city itself. It is expected that this competition will be secured in another year.

2. Three men were indicted for conspiracy to defraud in connection with the purchase of a morgue site for the county. It appears that a broker making the sale secured an unreasonably large commission and split it between a county employee and a former county employee who may or may not have had anything to do with the selection of the site. The amount involved was in the neighborhood of $5,000.

3. It was discovered that sidewalks were not being laid according to specifications and that the public was being mulcted out of many thousands of dollars each year on this account. The head of the sidewalk department was indicted for malfeasance in office, but it was not charged that he had received any benefit from his general inefficiency.

4. The superintendent and assistant superintendent of the motor transportation department were indicted for soliciting bribes in the purchase of oil, etc., and for holding up vendors for special favors. The judge very properly called the situation "sordid," but it seems that no large amounts were involved.

5. A number of employees in the department of public works were indicted for petty pilfering, selling rubbish tickets, holding up other employees for jobs, etc. The amounts involved were all small. Many business organizations have these difficulties with their lower rank employees. Probably the fact that punishment will be meted out to several individuals will act as a deterrent for some time.

The former commissioner of public works was criticized for his methods of allowing extras to contractors, but the whispered charges of corruption were not proven. The water board was also criticized for their dealings with contractors, but no indictment was made. The judge also commented on the conduct of a number of other departments, and the commissioner of parks has been dismissed,—some believe unjustly.

The whole turmoil is viewed as the opening guns of the political campaign this fall, when a mayor is to be elected for a full two-year term, along with a council of nine.

✣

City Planning to Aid Prosperity in Toledo.—The Toledo City Planning Commission recently issued a progress report which summarizes recommendations based upon completed studies as follows: Major Street, Transit, Railroad Transportation, Port, Industrial and Zoning reports. Two studies remain to be completed—Recreation and Civic Art.

The remarkable fact is that all these plans which prescribe in detail how the city can best expand, have been completed at the small cost of $32,500. The technical portion of these plans has been done by the staff of Harland Bartholomew, St. Louis city planning engineer, but the recommendations and policies have been determined by the Toledo city plan commission.

The reports were prepared as an answer to the generation-old challenge—Why have Detroit and Cleveland grown so much faster than Toledo? Three years ago Service Director Jackson and the city planning commission decided that the only way for this city to get started on that development which its natural resources merit was by making plans which would accurately outline how this growth was to be accomplished.

One of the strongest links in this chain of plans is the Industrial Survey, which is not ordinarily included in city plan reports. This close analysis of local businesses, industries and markets is presented in such a way as to make it possible for potential investors to know what kind of local commercial or industrial investment offers promise of the greatest returns. One section is devoted to a thorough analysis of the sources and destinations of the principal commodities shipped to and from Toledo. The labor market is studied with reference to industrial troubles and citizenship. Housing conditions are described. The local financial institutions and their policies with respect to the encouragement of new businesses are scrutinized. Educational and recreational facilities are touched upon. A general summary containing important city statistics with reference to taxation and other matters likely to affect the growth of industries is given.

From the above the following recommendations are made regarding industrial development:

1. Development in the manufacture of 18 varieties of commodities because of the proximity to the sources of raw materials and markets.

2. Establishment of industries complementary to those already in operation.

3. These should include rolling mills, steel fabricating plants, auto body plants, other automotive industries, and railroad equipment factories.

4. Establishment of industrial "incubators" such as factory buildings, where small concerns can operate until they have money enough to put up a plant of their own.

Naturally there is a close correlation between the Port survey and Railroad Transportation study. The outstanding need in the Toledo railway situation, according to this report, is trackage sufficient to afford a free and unobstructed road through the Toledo gateway as well as to provide adequate switching facilities for local shipments. Establishment of classification yards outside the city to relieve the present switching congestion adjacent to the terminals is urged, as well as a more extensive use of the Toledo Terminal Railroad.

As a result of conferences with railway officials, the city plan engineers have worked out a number of track changes in a program which, if followed, will afford the most efficient development of Toledo's railroad facilities.

This report also embodies a grade separation program including 15 projects to be completed over a period of 10 years. Estimates of costs are set up which will permit the financing to be arranged so as to impose a minimum burden on the city and railroads.

The Port survey provides for a municipal water terminal on the Maumee River located with reference to the railroad switching facilities. It recommends the development of the lower river for dock purposes and the bay as a mooring basin. This report also points out the exact benefits the city may expect from the anticipated completion of the St. Lawrence waterways project.

It further recommends that the city acquire as much water-front property as possible, and suggests the formation of a port district. This study asserts that the port of Toledo, on an investment to date of only $3,000,000, saves this country about $60,000,000 yearly in freight transportation costs, because of the local harbor facilities.

The Major Street Plan embodies 18 recommendations which include the proposed Harding Memorial Bridge over the Maumee River, development of the Miami and Erie canal bed as a rapid transit thoroughfare to the south of the city, besides numerous street openings, widenings, extensions and surfacing. Carrying out these recommendations will go a long ways towards remedying the city's present acute traffic problem due to the bottling up of certain sections by the Maumee River and its tributaries which run through the corporation environs.

The Transit report embodies 14 recommendations to re-route the traction lines and to establish cross-town bus lines. Several of these suggestions are being carried out.

The Toledo zoning ordinance has been in operation over a year, and it is now possible to ascertain its effect on building and conditions generally. During that time there has been a marked increase in building operations which if it cannot be credited to the zoning ordinance at least the latter may not be said to have deterred building. The total value of the structures erected during the year October, 1923–1924 aggregated $6,800,000, as compared with $4,000,000 during the preceding similar period. Changes in the ordinance have been made with little difficulty and its efficiency has not been impaired by any court decision.

C. A. Crosser.

◆

The Significance of the International Planning Conference.—The recent meeting of the International Planning Federation, in New York city, in which our National Conference on City Planning joined, was the first session of that body to be held on this side of the Atlantic Ocean. The conference came here on the invitation of eleven National societies devoted to planning, in which the New York State Commission on Housing and Regional Planning joined. Representatives of twenty-two local organizations of prominence, among which was the Regional Plan of New York and Its Environs, united with interested citizens in receiving the five hundred delegates from all parts of the United States, and the hundred representatives of twenty-one foreign countries. Typical of the spirit of the occasion was the opening luncheon given jointly by eight of these organizations never before so united. The Grand Central Palace, thrown open for two weeks to the delegates and the public, was devoted to an exhibition of planning and allied arts throughout the world. A large audience filled the assembly room at every session, even those held at ten in the morning. The notices in all the principal papers of the country were generous. The conference was recognized as a great event in this country.

And the conference was in fact a great event. Among the delegates were our own leading city planners and such foreigners as Ebenezer Howard, father of the Garden City movement, and Raymond Unwin, one of its leading exponents, August Bruggemann, professor at the Paris School of Higher Civics; Prof. Sverre Pederson, city architect of Trondhjem, Norway; Dr. Stubben, the veteran planner of Germany; Dr. A. Keppler, director of housing at Amsterdam, Holland, and many city architects, mayors and other officials. The formal papers of a high order were, in accordance with European custom, printed and distributed in advance, thus making intelligent discussion possible. These papers took up a great variety of subjects, some of which, in spite of their importance, promise no permanent relief from the growing evils of metropolitan life, but only, like all palliatives, tend to their ultimate aggravation. Most of the subjects chosen, however, dealt with some phase of congestion and its many related evils so rapidly increasing in our larger cities and so inevitably coming in our smaller ones unless we have the wisdom and self-restraint to find and apply a remedy. Among these papers may be mentioned those with relation to garden cities, which, whatever else they may signify, mean for us permanent open spaces in and around our urban centres; planning unbuilt areas, so that congestion of developed areas may not be repeated there; and regional planning, the only complete cure for this and related evils.

Especially significant was a paper on "The Government of Metropolitan Areas"; for as the author says:

> The alluring idea of the regional plan is already accepted by the enlightened and imaginative. The time is coming, however, when you must take deliberate thought of regional government. For without regional government the fabric of your dreams will fray out to tattered fragments. . . . Regional planning encounters no more opposition than the propositions of speculative philosophy. . . . The proposition of regional government, however, at once arouses antagonisms. . . . It means the breaking up of vested political interests—some readjustment in party activity, some pruning of the tree of patronage. You will have beautiful regional plans on paper long before you have regional organization fit to carry them out. The conclusion is inescapable. If it is worth while to plan for streets and parks and terminals, it is worth while to plan for institutions of government. It is the way of specialists to take for granted everything outside their specialty. It will not do, however, to assume that arterial highways may be planned, but that government just happens. The one requires and deserves planning as much as the other.

More important always than the formal business of a conference, are the informal contacts among the delegates with their experience gathered from so many different sources. The excursions arranged to show these delegates our zoning, parks and housing, with their visits to Sunnyside, Jackson Heights and Bear Mountain furnished many opportunities for comment and comparison, as did also breakfasts in accidental groups of three or four and little dinners arranged for the discussion of special problems.

Formally and informally the conference served as an occasion for the interchange of points of view such as has never before been afforded the city planners and city officials of this country. To the man who knows only his local problem in its local setting, even that problem is but half known. For sound accurate knowledge breadth of view is needed, and the great contribution of the international conference was a measure of breadth of view.

Frank B. Williams.

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The Pension Embroglio in Chicago.—The subject of pensions for public employees promises to be a live one in Chicago, judging from the recent bulletin (No. 66) of the Citizens' Association of Chicago. The management of the police pension fund, which was reorganized three years ago on an actuarial basis, is under investigation. The soundness of some of the features of the system is under question. The opinions as to the lines along which future improvement or extension of pension provisions should proceed in Chicago are divided.

"About a year ago," says the bulletin, "The Citizens' Association uncovered serious wrongdoing in the management of the Chicago police pension fund under a former board, whereby widows and children of deceased policemen had been defrauded of many thousands of dollars through official collusion." On the strength of a report published by the Association, an investigation by the city council was undertaken. George C. Sikes, formerly of the Chicago Bureau of Public Efficiency, was appointed secretary of the police pension board; "two unfit trustees, who had been chosen by the active police and by the pensioners to represent them on the board, were defeated for re-election," and other substantial changes in the board were effected.

Apparently, there is dissatisfaction in some quarters with the reorganization effected in the board, for a bill has been introduced in the legislature (House No. 396) intended to give the active police a larger voice in the management of the fund and to deprive the pensioners of their present representation on the board. It provides for a board of seven members, three of whom are to be appointed by the mayor, three elected by the active policemen, and the seventh is to be the city treasurer. "This," says Mr. Sikes in a statement quoted at length in the bulletin, "nominally will give the public control of the board by a majority of one. But the appointees of the mayor will not be in control. I contend that in the long run a solid block of three, with a group interest to serve, and powerful politically, as policemen are, will dominate a board of seven, where the other four members do not represent a solid group interest."

Such a dominant control by the employees would be wrong, according to Mr. Sikes, who says: "The taxpayers of Chicago are contributing to the police pension fund between four and five times as much as the policemen contribute. On that ground alone it seems to me that agents of the responsible head of the city government—the mayor—should have clear and decisive control of the board."

While the embroglio over the police pensions is still in process of development, the county employees of Cook county come forward with a bill, which they have caused to be introduced in the legislature (Senate No. 226), providing for a pension system for them modeled substantially along the lines of the Chicago police pension law. In at least one feature—that of administration—they go further even than the proposed amendment of the policemen: to wit, they provide for a pension board of five, three of whom are to be elected by the employees, and the other two are to be the county comptroller and the county treasurer. They are to have a majority of the board, although the funds will come principally from the county. This prompts Mr. Sikes to the following comment:

> A self-respecting public should not allow a group of public employees to frame a law in their own interest, taking money from the taxpayers for their own benefit, without careful consideration of the measure from the public point of view. It is especially objectionable that the control of such a fund, when created in that manner, should be turned over to the interested group concerned. If the public ever shall get the notion that pension funds are in part devices for opening pipe lines into the public treasury, with the taps controlled by the beneficiaries, there is likely to be a revolt against the whole pension idea that will be harmful to the welfare of public employees.

The police pension law after which the bill is modeled, although established on an actuarial basis and containing many admirable features, is, as Mr. Sikes says, "involved, complex and very hard to understand—needlessly so, in my opinion. No other pension law in the country, outside of Chicago, is so difficult to comprehend. In the course of time the Chicago police pension law ought to be recast and simplified." It is not an altogether good model from which to copy. The county pension bill contains many features, according to him, which are "indefensible and would not be included if they were understood by the legislature."

Mr. Sikes recommends that "the county pension bill should be dropped for the present session and a thorough study of the subject made on behalf of the public in preparation for action two years hence."

Such a study may well nigh be made comprehensive, for, besides the problems mentioned, other pension problems present themselves and must be solved. The Chicago firemen's pension fund is said to be "facing bankruptcy within a few years, on the basis of present income and outgo." The Chicago teachers' pension fund is on an unsound basis and grants pensions (of $600 or $800) which are insufficient in amount. In order to remedy this insufficiency the board of education, according to the bulletin, advances a proposal (House bills 520 and 521) for the payment from the public treasury of pensions of $1,500 to every teacher retiring at 70 years of age, in addition to the pension paid from the fund. If such a proposal were ever enacted, the result would be that the teachers would be inclined to remain in the service until 70 years of age, when they could secure a relatively good income, and the schools would be full of superannuated teachers. A real remedy would be very different from this, but it could be devised only after a very thorough actuarial study. The general municipal pension system, the establishment of which preceded by a year the establishment of the present police pension system, just as the latter, contains many features which are far too liberal and which it will be very difficult for the city to maintain on a permanent basis. A revision of this system is thoroughly needed.

The city administrators and the local civic organizations of Chicago are beginning to be alarmed over the extreme liberality of the new pension systems and pension proposals for the city and county service, and well they may be, for the costs to the taxpayers under these systems will be considerable. If they attempt to curtail the privileges offered, they will meet with a strong organized opposition. It is much easier to prevent the inclusion of extreme provisions in a retirement system than to take them out after they have been established. The city administration and the civic bodies were apparently asleep at the switch at the time the reorganization of the pension systems was being discussed and when they could have influenced it and kept it from extremes. Under the conditions of indifference of the city and the civic bodies, the employees took initiative in the matter and accomplished in part a laudable reform. In doing so, however, they aslo succumbed to some extent to the selfish instinct and went in certain respects beyond proper limits.

The danger now is that the pendulum may swing too much the other way—against any participation of the employees in the framing or management of retirement systems. The preservation of a proper balance is desired. It alone will secure a just and lasting adjustment of a delicate situation.

PAUL STUDENSKY.

NOTES ON MUNICIPAL ACTIVITIES ABROAD

CONTRIBUTED BY W. E. MOSHER

Arbitration for Civil Servants in England.—Since the initiation of the National Whitley Council in 1919 there has been almost a continuous pressure on the part of the employees for some means of arbitrating claims along the lines adopted in the pre-war period. A treasury order was issued as a result of this pressure under the date of March 26, 1925, which embodied the recommendations of the committee of the National Whitley Council.

The machinery for arbitration is that of the Industrial Court established in 1919. The chairman of the court is to be either the president of the court or someone appointed by him. The two members associated with the chairman are to be selected from two panels, the one representing the chancellor of the exchequer and the other the employee side of the National Whitley Council.

With limitations as to minimum amounts, claims for salary adjustments, hours, leave, overtime subsistence and other allowances, etc., may be submitted to the court on the motion of either departments or associations of civil employees. It is stipulated, however, that only matters affecting "classes" of employees and not individuals are to be handled in this way.

With the above provision for arbitration, England is joining certain of her colonies that have already recognized this principle in dealing with public employment problems.—*Whitley Bulletin, March, 1925.*

◆

London County Council.—The clerk of the London county council has prepared a compact and comprehensive statement concerning the office organization of this unique body. It is accompanied by an organization chart of two of the chief divisions that gives one the complete story at a glance. The value of this contribution may be measured by the statement that, with regard to certain generalizations, the only alternative is a perusal of the minutes of the council from 1889 to date. In spite of the fact that these are dubbed "genial documents," one would hesitate to prefer the latter as an alternative to the very lucid and informative summary prepared by the clerk.

The writer excludes from consideration the functions of the council and its committees, restricting himself to the work of the executives and staff. This he divides into (1) committee work of an administrative character, (2) professional and technical work as in engineering, medicine, law, and (3) special work as licensing, fire fighting, finance, etc.

The guiding principles, to be deduced from past principles, are also three in number: (1) direct and undivided responsibility, (2) organization of departments on basis of function, (3) avoidance of unnecessary interference with work of officers by committees of council.

In discussing the committee responsibilities of the clerk of council, the Education and the Mental Hospital Committees—these are the three main units—a rapid sketch of the duties of the clerk is drawn. He emerges as a general co-ordinator and universal factotum.

Less than a page is then devoted to a job analysis of the several chief professional and technical officers. Specific data are included in each case. For instance, it is reported that the chief engineer is responsible for 370 miles of main sewers, twelve pumping and outfall stations, and six sludge vessels, each with a carrying capacity of 7,000 tons, while the quantity of sewerage to be disposed of is 18,250 gallons per head per annum for a population of 5,500,000. The daily average of sewage falling to the outfalls is about 240,000,000.

Other departments are handled in the same way. To cite some outstanding figures: the stores department, handling all supplies, spends over 2,000,000 pounds a year; the valuation department, in charge of most public buildings, has a rent roll of 750,000 pounds a year; the fire brigade makes 20,500 inspections of amusement places annually, and in its ambulance service makes in the neighborhood of 27,000 calls per year.

The second main division of the survey has to do with the personnel. The questions of recruitment and classification are briefly discussed. This is followed by a summary of the composition of the county clerk's and the architect's organizations. Two pages are then devoted to charts of these units.

The author is to be congratulated on his success in bringing together in so brief a space so clear and understandable a statement about this highly complicated unit of government, the London county council.—*Montagu Cox, clerk of the London County Council, in the Journal of Public Administration, April, 1925.*

NATIONAL MUNICIPAL REVIEW

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COMMENT

Mayor Jackson of Baltimore has announced a plan for the abolition of all railroad grade crossings in the city before the end of his administration in May, 1927.

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The League of Texas Municipalities has petitioned the legislature to submit a constitutional amendment clarifying the home rule situation and giving to cities undoubted home rule powers.

*

Police Commissioner Enright says there are too many taxicabs in New York city, probably more than are needed to meet public convenience. He advocates ordinances controlling the number of licenses to be issued in accordance with the capacity of the city streets.

*

What Commissioner Enright announced will be the greatest police school in the world has been organized in New York City by the consolidation of the three existing training schools. William H. Edwards (better known as "Big Bill" and without whom no Princeton football meeting is complete) has been named president of the new police academy.

*

Graft exposures in Detroit which have given the city much national publicity irritating to her civic pride have turned out to be almost farcical. Persons mentioned in the findings of the one-man grand jury are being dismissed by the courts on the ground that no cause for action exists and evidence is being gathered to institute impeachment proceedings against the judge who constituted the grand jury.

*

Sir John Sulman, chairman of the Federal Capital Advisory Committee concerned with the planning of the new Australian capital of Canberra, has submitted a report on municipal government in the United States which recommends the adoption of the manager form for the new city. There was strong local feeling that commission government, similar to that of Washington, was the correct form but Sir John believes that the three commissioners should not undertake direct administration themselves but should appoint a manager. The prime minister has intimated that the recommendations contained in the report will be adopted. Those who had the pleasure of meeting Sir John on his recent tour of inspection in the United States will be interested in learning of his favorable impression concerning the success of the city manager form in America.

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Recently in the supreme court of Arizona[1] the constitutional provision of that state for the recall as applied to the judiciary was upheld against the objection that it is in conflict with the federal constitution since it is "not in harmony with the basic ideas of our institutions, tends to undermine the independence of the courts, and is contrary to public policy." "All these questions," said the court, "pertain to the sovereign powers of the people in their political aspects, have been unalterably settled, and may not be changed except in the manner provided by the constitution."

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[1] *Abbey* v. *Green*, 235 Pacific Reporter, 150, 157 (1925).

J. D. B.

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Readers of the REVIEW who have followed the development of Governor Pinchot's personnel system in Pennsylvania may not agree as to its effectiveness. Personally, we think it has been working well, and all will agree that is in decided contrast with what has been customary in Pennsylvania. The customary practice is exemplified by recent action of the newly elected state treasurer, who had formerly served as auditor general. When he became treasurer he dismissed 27 employees and filled their places with others who had been with him in the auditor general's office. The holders of practically all important treasury jobs, from cashier down, were released and men from the auditor general's department substituted. The offices of both treasurer and auditor general, being constitutional, do not fall within the new administrative code and the governor's personnel system does not extend to them.

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Civil Rights of Civil Servants

The question of participation by civil servants in national and local elections as candidates for parliament or for county and borough councils has been raised again in England, and has been made the subject of a report by a special committee of the treasury, known as the Blanesburgh Committee. With respect to parliamentary candidature, the report recommends that the present rule, that each crown servant resign upon becoming a candidate, be continued. Whether crown servants may become candidates for local office should remain, according to the report, in the discretion of the head of the department.

The committee felt that, by granting full political rights to the civil servants, their position of impartiality and their ability to work under the government of the day might be injuriously affected. In the opinion of many public employees, expressed through their organ, *The Civilian*, this is a reflection on the "solid sense" of the British civil servant, who can be trusted not to abuse his full rights of citizenship.

The restrictions upon the employees in the competitive classified service of our federal government are more severe than in England. Such persons are not only forbidden to become candidates for office, but are prohibited from accepting office in any political party or taking active part in any political campaigns, national, state or local.

The National Federation of Federal Employees, like the civil servants of Great Britain, oppose this restriction upon their liberty of political action, but their attitude seems to be largely one of sentiment because of injured *armour propre*. Protection in favor of tenure and against political assessments and pressure are practical considerations which any civil servant will prefer to unlimited political activity with these safeguards absent. The civil servant had best refrain from politics if he does not wish to become the victim of politics.

A NEW METHOD FOR COUNTING PROPORTIONAL REPRESENTATION BALLOTS

BY HAROLD F. GOSNELL
University of Chicago

THE election of the Cleveland city council a year and a half ago by the Hare system of proportional representation showed that it is possible to overcome some of the mechanical difficulties of the single transferable vote system even in a large constituency. However, the count was an expensive and a long drawn-out process. It took six days for a specially trained staff of two hundred clerks to complete the central count in the manner described in the Cleveland charter.[1] My interest in election systems led me to try out a new method for counting and sorting ballots according to the Hare system. Under the auspices of the Illinois Branch of the Proportional Representation League, Robyn Wilcox and I carried out a demonstration election by the use of a mechanical card sorting and card counting machine.

It was assumed for purposes of the election that Congress had authorized the election of a commission of five members to consider methods of dealing with the child labor situation in this country. Some 3,552 ballots were marked by members of local organizations in Chicago and by students in the political science classes of several universities. The names of twelve nationally known persons were voted upon for the hypothetical commission.

The instructions appearing upon each of the ballots read as follows:

> Put a cross X in column 1 opposite the name of your first choice. If you want to express also second, third, and other choices, do so by putting a cross X in column 2 opposite the name of your second choice, a cross X in column 3 opposite the name of your third choice, and so on. In this way you may express as many choices as you please. The more choices you express, the surer you are to make your ballot count for one of the candidates you favor. But do not feel obliged to express choices that you do not really have.
>
> A ballot is spoiled if more than one cross X appears in any of the columns headed 1, 2, 3, and so on. If you spoil this ballot, tear it across once, return it to the election officer in charge of ballots, and get another one from him.
>
> (The arrangement of this ballot differs from the ordinary arrangement, the object being an experimental one in the use of an electrical counting machine.)

Although the arrangement was a novel one for a proportional representation election, less than one per cent of the ballots received were invalid. The data on the paper ballots were transferred to the standard Hollerith punch cards by a single operator in eight hours. The punches on the cards were made to correspond with the cross marks on the ballots. If money had been available for the purpose, it would have been possible to have each one of the voters in the election punch his own card or ballot. Punch machines could be provided or the ballots could be so perforated that the voter could use any pointed instrument to indicate his choices.[2]

The entire count of the 3,552 ballots which required eight different transfers were completed by two persons in the record time of one hour and fifty minutes. The first choices were counted and sorted in fifteen minutes. Three of the candidates elected received their quota of 593 ballots on the first count, but the other two candidates elected were not chosen until the ninth count.

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[1] R. Moley "Proportional Representation in Cleveland" *Political Science Quarterly*, XXXVIII, 656. See also *Proportional Representation Review*, January, 1924.

[2] The writer has no patent on any such device. His connection with mechanical sorting devices began with the statistical study of non-voting in Chicago. See Merriam and Gosnell, *Non-Voting: Causes and Methods of Control* (Chicago, 1924), Appendix.

A comparison of the time taken to make the demonstration count with that taken to complete the Cleveland count brings out some striking differences. With the mechanical sorting machine two persons did in less than two hours what would have taken twenty-two persons three hours working without the aid of the machine. On straight counting and sorting the machine worked at the rate of 250 ballots per minute. The Cleveland clerks did their checking at the rate of 33 ballots per minute. The time taken in recording the results would be about the same.

The experiment showed that it is possible to improve the technique of proportional representation and that with a highly selected group of voters these improvements in technique were not unduly confusing.

THE SIXTH ANNUAL MEETING OF THE NATIONAL LEAGUE OF WOMEN VOTERS

BY EVELINE W. BRAINARD

"In today already walks tomorrow."

The League of Women Voters meets yearly to lay out its program of study and of legislation. This year some six hundred women from all over the land gathered at Richmond, Virginia, from April 16 to 22 to decide on plans which had already been discussed in every state league. The matters of public concern within the scope of the organization fall under eight committees: Efficiency in Government; Child Welfare; Education; Legal Status of Women; Living Costs; Social Hygiene; Women in Industry; International Co-operation to Prevent War. Each of these committees is under a national chairman with a chairman in each state league, thus insuring that the different parts of the program be dealt with by people acquainted with the questions involved. These committee heads are, of course, being human, a bit like college professors—each believes her department to be all-important and in consequence the program seems long to the uninitiated. But it is, after all, just like a college catalog, each local league choosing the topics interesting to its members.

IMPROVEMENT IN GOVERNMENT

Much time was given to practical discussion of what had been learned from the getting-out-the-vote campaign of last year. Complications hedging registration were found so frequently the excuse of the non-voter that at the state registration laws and their simplification heads the suggestions for study. Simplification of the state administration, county government, the manager plan, are also among study topics and the shorter ballot, extensions of the merit system in the civil service, and suffrage for the District of

Columbia among the possibilities for legislation.

There was unanimous opposition to proposals which would make amendments to the Federal constitution more difficult than at present. Miss Lathrop described the bill before the last congress in the following words:

> Another amendment to the constitution is now urged which would render amending far more difficult than at present. Its undemocratic spirit is shown by its proposal that as soon as thirteen states have rejected, the amendment is lost. This gives no opportunity for reconsideration and the whole text of the amendment displays the purpose to render amendment practically impossible. It exalts minority rule into a principle of law.

The League counts the passage of the Maternity and Infancy Act in 1921, popularly known as the Sheppard-Towner measure, one of its definite services to the country. The report of what has been accomplished under it in the four years opened the conference of the Child Welfare Committee, Dr. Florence McKay of New York and Dr. Mary Riggs Noble of Pennsylvania telling the story. This stands side by side with the ratification of the Child Labor Amendment on the committee's recommendations because its five-year appropriation ceases next year and its friends must show cause if they are to hope for a continuance of support. As Miss Grace Abbott, head of the Children's Bureau, explained, it is peculiarly difficult to prove the worth of the work done under that bureau because new counters of value are there used, not dollars and cents, but health and well-being. The saving of lives of mothers and babies is hard to reckon in cash since the cost of funerals is the only immediate and obvious expense!

A discussion, typical of the League of Women Voters, sprang up instantly when the committee on the legal status of women brought forward proposals as to a uniform marriage law. It was not the details of the measure that were called in question, but the scant time for consideration of a matter so important and of results so far-reaching. It was decided that this plan should go out for discussion at local leagues during the year and come up again next April with the delegates ready for it. Again the convention affirmed its opposition to all attempts to cure special defects in our laws by wholesale changes and blanket amendments. The name of the committee, said Miss Esther Dunshee, the chairman, might better be called legal status of wives, since the disabilities are practically all against married women, the only two on the list covering all women being representation on party committees and jury service.

AGAINST WAR

Doubtless the best known and most popular work done by the League of Women Voters is that under Miss Ruth Morgan for international co-operation to prevent war. Last year it was mainly due to this committee that the open hearing on the world court was granted by the senate foreign relations committee. Of the outlook for the world court, Miss Morgan said:

> We must get the world court! With an estimate of 85 per cent of the country for it, and at least 75 per cent of the senate favorable to it, with the President of the United States urging it and the opposition party demanding it, with the two great parties on record in the platforms for it, why not? Well, its enemies have not admitted defeat. They mean to fight all summer against it up to the date, December 17, now set for the vote. We cannot afford to slumber now or take anything for granted.

The resolution in the matter of law enforcement as finally adopted after warm discussion on phraseology is more definite and inclusive than the plank proposed by the League to the platform committees of the national parties before the last presidential election.

> Since the merit system in civil service has been adopted as a policy of the National League of Women Voters, as expressed in the program of the department of efficiency in government and also in the effort of the league at the last national convention to have such a plank adopted by the political parties, we do at this time most heartily affirm our belief that this great principle should be specifically applied to the appointment of officers in the federal prohibition unit in the interests of more effective enforcement of law.
>
> We further urge a loyal co-operation with the federal government on the part both of individual citizens and of state governments, in the further effective establishment of prohibition as expressed in the constitution of the United States and the written law of the land.

NOT ALL SERIOUS

However solid its topics may appear, the convention took its sessions with much gaiety, and there was no merrier evening than the one devoted to the special guests of the convention,—seventy young women, undergraduates from seventeen colleges and normal schools, and representatives of girls in industry, in business and on the farm. A half dozen youthful orators told their elders what they could do to interest young people in practical work for good government. Fine ideas they had, too, and notebooks were in use everywhere.

Justice Florence Allen of the Supreme Court of Ohio closed the evening with a "charge to the jury of young voters." None of them will ever forget this woman, at once highly trained, noble in bearing, wise in advice and withal of never-failing humor. Her witty account of the visit to the Old Bailey led on to serious words on the condition of criminal law in this country. Repeating Chief Justice Taft's statement that our criminal administration is a "disgrace to the nation," she charged the women citizens before her:

> We must not sit still in indifference and ignorance with such a state of affairs. Do not think that the well-known delays of legal procedure are a matter of small moment. Delay always works for injustice, not justice; always works in favor of the criminal and against the innocent; always works in favor of the rich as against the poor.

PRINCIPLES OF ADMINISTRATION

BY LUTHER GULICK

Director, National Institute of Public Administration

A comparison of American and English statements regarding principles of administrative organization and practice. :: :: ::

Are there recognizable "laws" or "principles" in the field of public administration? The question has been answered indirectly by several students of government who have made the effort to extract from experience the immutable laws of administration and to distill them in a simple form for practical application. The Bureau of Municipal Research group, headed by Frederick A. Cleveland and Charles A. Beard, have probably pushed further than others in this country, at least the pioneering has fallen to them. This is probably because the research bureaus have had the opportunity to study the facts first-hand and because they have been faced with the necessity in connection with their surveys and advisory work of formulating rules for practical application. The short balloteers, led on by Richard S. Childs and A. R. Hatton, have also done yeoman service in the formulation of rules of government organization. In all this groping for principles, one would hesitate to claim that the process has been thoroughly scientific. The municipal researchers (fortunately for progress) have not enjoyed the academic calm which would permit them to wait until all the facts were in, nor has it been possible to suspend judgment or action until every hypothesis could be thoroughly tested. And there has been a certain zeal, especially with the ballot-shorteners, which has ferreted out principles calculated to clothe with the sanctity of natural law the beliefs and dogmas of the cult.

THE AMERICAN STATEMENT

An American statement of principles has never been brought together in a complete systematic form. Perhaps the summary presented by Dr. Beard in the *Administration and Politics of Tokyo*[1] is as comprehensive as any, though this summary was presented, of course, in connection with the problems of an Oriental metropolis. The principles are stated as follows:

> The number of departments in a city administration should be determined by the number, variety, and magnitude of the major functions vested in the city government as a whole.
>
> Each department should have as nearly as possible a distinct function or class of functions to perform, if the volume of business warrants this.
>
> All closely related functions should be grouped together in the same department, and the number of bureaus or divisions within the department should be determined by the number, variety, and magnitude of the functions assigned to it.
>
> The power of each department head and each bureau (or division) chief should be commensurate with the responsibilities imposed upon him.
>
> The responsibility for each function and the power to discharge it should be vested in a specific officer, and the lines of responsibility from subordinates to superiors should be definitely fixed.
>
> The head of each large department should have an independent staff or agency to keep him informed as to the performance of his subordinates and as to their positive achievements.
>
> As functions cannot be sharply separated and a certain amount of overlapping is necessary, provision should be made for the close co-operation of related departments.
>
> There should be an accounting control independent of the operating or directing head of each department.
>
> The mayor or chief of the entire administrative structure should have the power to appoint and discharge his department heads and to direct their work within the limits of the law. He should have a research staff charged with two functions: (1) examining and reporting on the work of departments and (2) searching for new and improved methods of operation.

A. E. Buck has summarized the rules under the following five heads:[2]

> 1. *Departmentalize all administrative activities.* All administrative offices, boards, commissions, and agencies of the state should be consolidated into a few departments, each of which comprehends a major function of government, such as agriculture, finance, public welfare, or public works. The major functions should be determined mainly by the conditions within the state and the scope of its existing activities. For example, reclamation may be a major function in one state and not in another.
>
> 2. *Fix definite lines of responsibility.* Each department should be headed by a single officer appointed and removable by the governor. This arrangement fixes definitely responsibility for the administrative work of the government and makes the governor in fact, as well as in theory, the responsible chief executive of the state. The department heads can then constitute a cabinet to advise with the governor in matters of administration and to assist him in budget making. This principle involves, among other

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[1] Page 47.

[2] *Administrative Consolidation in State Governments*, pp. 37–38.

things, the reduction of the number of elective administrative officers to two, the governor and the auditor, the latter to act as an independent check upon the work of the administration. It would be preferable to have the auditor appointed by the legislature instead of elected by the people, so that he might be the representative of the legislature in making a critical examination of the administration.

3. *Taboo boards for administrative work.* Boards or commissions should not be used for purely administrative work. They are generally found inefficient owing to division of powers and absence of initiative and responsibility. Ex-officio boards are almost never effective. Whenever there are quasi-legislative, quasi-judicial, advisory, or inspectional functions within a department, a board may with advantage be attached to the department to perform any one of these functions.

4. *Co-ordinate terms of office.* The term of the governor should be four years, and the terms of the department heads, if they are to be definitely fixed, should be carefully adjusted with reference to that of the governor. The department heads should not have longer terms than that of the governor. It is preferable to let the department heads serve at the pleasure of the governor. However, the members of boards performing quasi-legislative, quasi-judicial, inspectional, or advisory functions under the departments may be appointed for longer terms than that of the governor.

5. *Organize departments internally.* Closely related work in each department should be grouped under appropriate bureaus and divisions, responsibility for the work of each bureau of division being placed on a single officer directly accountable to the head of the department. The bureau heads should, as a general rule, be appointed by the department heads under which they work.

Somewhat the same field is covered in a paper which I presented to the National Tax Association in 1923 which dealt with the organization of the state tax department.[1]

THE ENGLISH STATEMENT

Montagu H. Cox, clerk of the London County Council, has endeavored to make a similar summary based on his observation and study of English government. His statement is as follows:[2]

1. The duties to be performed by officers of a local authority should be grouped into departments, each department being entrusted to a single responsible officer. He should be provided with a sufficient staff.

2. Departments should be formed according to (i) professions, and (ii) duties of similar character. A separate department, more or less self-contained, may be formed for any single service in which the professional duties are so interwoven with its administration that its separation would be difficult.

3. The number of departments should be as small as possible.

4. Each department should be of sufficient size to justify the employment of a whole-time head of the department at a salary sufficient to attract a man of qualifications and ability.

5. Co-ordination between departments should be entrusted to the town clerk.

6. The office of town clerk (or clerk of the council) should not be combined with any other office.

7. The number, status, and scales of pay of the several grades of staff required in each department should be assessed and reviewed periodically.

8. Scales of pay and other conditions of regulating the prospects of officers, such as promotion, holidays, sick pay, and interchangeability, should be clearly laid down.

9. The technical and professional staff should be recruited by public advertisement upon clearly stated qualifications.

10. Administrative and clerical (*i.e.*, routine) staff should be recruited by means of competitive examination. The clerical should be eligible for transfer to the administrative by examination in specialized subjects which are the concern of local authorities. Some provision should also be made for direct entrance to the administrative staff.

11. Provision should be made for the interchange of administrative staff between the several departments, by way of exchange and promotion.

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[1] *1923 Proceedings*, p. 266.

[2] *Local Government News*, April, 1925.

A comparison of the statement of principles by Mr. Cox with the statements above which have been taken as representative of American experience shows a very interesting agreement on the essential points. Mr. Cox throws a great deal more emphasis upon the problem of personnel. Fully half of his points deal primarily with this problem. Though we are beginning to recognize the great importance of sound personnel policy and administration in the United States, and though no one would disagree with the principles of personnel laid down by Mr. Cox, the American statements do not emphasize personnel to this extent. Mr. Cox is more specific in defining departmental lines in point 2. His insistence that the number of departments should be small, that each department should be entrusted to a single responsible officer, and that the town clerk should be free from line services and should serve purely as the co-ordinator between departments, is thoroughly in accord with the principles as formulated by American students including the researchers and the ballot-shorteners. Even the wide difference in the form of local government on the two sides of the Atlantic has not served to carry the students of government far apart in their statements of principles of public administration.

MUNICIPAL PROGRESS UNDER MANAGER GOVERNMENT

I. THE STORY OF PASADENA

BY HARLAN W. HALL

The test of city government is the comfort and well-being which it affords its citizens. Is the park system adequate; are the streets ample, clean and well paved; is the water supply good; is the city growing to a plan? This is the first of a series of articles which will describe how the city manager form is measuring up under these tests. Does more efficient government pay dividends? This and articles to follow will seek to answer the question. :: :: :: :: ::

Pasadena, which celebrated the fiftieth anniversary of its founding within the past half year, has accomplished more than one-quarter of all of its notable physical improvements within the past four years under the city manager-board of directors form of government. In other words, in less than one-twelfth of the city's life more than one-quarter of its public improvements have been made.

The population to be cared for has nearly doubled in the same period, and this problem has been met by the rapid extension of paved streets, new sewers and water pipes and the installation of adequate lights by the municipal lighting department.

EXTENT OF PAY-AS-YOU-GO

Under the manager-directors form of government a very notable feature has been the value of permanent improvements which have been made without recourse to bond issues. In the past four years $1,261,785.99 has been expended out of the general fund on such improvements and in addition, from the earnings of the light and power utility an investment of $1,093,758.55 has been made in like extensions, while additions to the water utility of the city from earnings amounted to $1,139,555.40, or a grand total of $3,495,099.94 for permanent improvements from funds other than bond issues. The sum of money mentioned as invested from the utility surplus includes the sum set aside for interest and depreciation, both of which accounts are set up on the books just as though the utility were privately-owned.

From the inauguration of the manager-directors form of government in Pasadena with C. W. Koiner, previously general manager of the successful municipal light department and city controller, as city manager, a policy of fairness to city employes was inaugurated. It was a time of advancing wage scales and the city at once adopted the policy that its employes should receive equivalent salaries to those paid for similar work in private employment.

This salary equalization brought about another form of equalization which in a goodly measure counterbalanced the advance in wages, namely, the policy of making fees for inspection and supervision large enough to defray the actual cost of such service. In many cities such fees are merely nominal, but in Pasadena when an inspection or supervision service is required the one receiving the benefit pays what it costs.

With higher wages came a movement to consolidate public positions. This policy of consolidation has resulted in a saving of more than $100,000 a year and has increased rather than impaired the efficiency of the municipal service.

Figures tell an interesting story of the result of this managerial policy. In the first year of manager-directors form of government 81 per cent of the money expended by the city came from direct taxes. In the last fiscal year only 64 per cent came from direct taxation.

Outstanding improvements inaugurated and now well under way have been the great civic center project with its group of municipal buildings, the opening and extension of major business streets, and the acquirement of much land for park purposes.

CIVIC CENTER AND CITY PLANNING

The civic center project is the first and greatest step in carrying out a comprehensive city plan formulated by a city planning commission. All the land for this civic center, approximately one hundred separate parcels, has been acquired and the contract for the first building let at a figure within the estimate.

As a move of good business only such buildings as stood in the immediate way of building operations were demolished or moved away, the others being allowed to stand for rental purposes, a very substantial sum being netted towards the project by this means.

Pasadena has since its founding had the making of a "shoe-string" business district because there was from the start practically but a single main business street reaching from the west to the east side of town. Under the present form of government two main business streets, one to the south and one to the north of the main business thoroughfare, are being opened through, the rough grading in each instance being already finished.

This major street opening work

required in each case the condemnation of more than a mile of right-of-way and has been but the most prominent instance of an intelligent movement to relieve traffic and business congestion by means of street openings.

At the outset, what is now Pasadena was merely a collection of small orange groves. As the village grew each orange grove owner subdivided his rancho very much as he saw fit, leaving a city filled with blind-end streets and no-thoroughfare highways. Practically all but one of the long-talked projects for bettering resultant conditions have been brought to fruition in the past four years.

Street improving has kept pace with other work. Under the manager form of government 3,458,522 square feet of paving, 410,089 square feet of sidewalk, 211,750 square feet of gutter, 84,096 lineal feet of curbing and 28,604 lineal feet of grading have been done.

Keeping pace with street work, more than 34 miles of sewers have been laid and 20,876 lineal feet have been added to the city's lighting system.

PARKS

Pasadena is bisected by the great Arroyo Seco—both a problem and a blessing; a problem because it has frequently to be bridged, and a blessing because its large acreage is being steadily acquired by the city for park purposes. The Arroyo Seco (Dry River) is a gigantic, wooded wash extending from the mountains north of Pasadena to and through the city of Los Angeles, dumping into the Los Angeles River. It now contains beautiful Brookside Park with its magnificent double open-air swimming pools, three baseball grounds, free tennis courts, and picnic facilities for about 20,000 persons. It is also the site for the famous Rose Bowl, where the annual East-West football classic is played on January 1 under Tournament of Roses auspices.

In this beautiful valley the city has acquired an additional 171 acres of land under the present form of government and is moving for the acquirement of hundreds of acres more. Two new bridges, bringing the total to six, now span the Arroyo Seco, and one of them is the largest single arch reinforced concrete bridge in the world.

In reasonable space it is next to impossible to mention in detail all of the improvements that have come with the active and energetic form of government now in vogue. One great project brought to completion has been the sewage disposal system at the city farm, where about ten million gallons of sewage is successfully treated each day. The water department has laid 9,000 tons of pipe and expended $1,419,736.56 in the past three years alone, caring for 5,809 new water meters. The municipal light and power department has spent $1,124,204.69 in the same period and has added 6,810 meters at the same time in 1924, making a net revenue $100,000 greater than ever before in a single twelvemonth.

ZONING AND FIRE PROTECTION

One of the very notable accomplishments has been the zoning of the city. This protective measure was accomplished through the work of the city planning commission. The act serves to prevent the injury of exclusive residence districts and yet stimulates the building up of industrial and business sections.

The fire department has been given a new central fire station and another suburban fire house, while the installation of an adequate, automatic fire alarm system has aided in bringing the department to such a state of efficiency that a reduction in fire insurance rates, amounting to $100,000 for the city, has been secured.

Three great districts annexed within the past few years have been served with sewer, water and light systems; two branch libraries, and a library building especially for children, have been constructed; every park in the city has seen material improvement and a municipal rock crusher built so that contractors might always find available proper quality crushed rock; and, for the protection of the park and stadium properties in the Arroyo Seco, a channel has been constructed by the city engineering department.

Perhaps to be ranked as a major accomplishment, was the amendment to the city charter permitting the city to do its own public improving work in case satisfactory tenders were not received. This plan has resulted in the city doing much work and has materially reduced the cost of all street improving.

And with all that has been accomplished, in a city which in twenty-five years has grown from a population of less than 10,000 to one of 75,000 at least, only 35 per cent of the bonding capacity has been invoked to meet the demand of progress. Only 21 per cent of the total bonding capacity has been used for general city purposes, both the water and light departments caring for their own bonds under their own earnings.

Nor has progress stopped, for there are at present eight large street improvement projects going forward; the great Linda Vista section has voted to improve the entire district under the 1915 Improvement Act; petitions are in for several more important street openings; a new reservoir is under way, and all this in a city which by the law is limited to a dollar tax rate for general city purposes.

LOS ANGELES' BOLD PLANS FOR A CIVIC CENTER

BY GARDNER W. GREGG

The Allied Architects' Association has planned a civic center which will preserve tradition, expedite traffic, eliminate slums and group public buildings in pleasant and inspiring harmony. :: :: ::

The birth of civic architecture has been late in Los Angeles owing to her rapid growth, which is, perhaps, unsurpassed by any American city within an equal period of years. When nearly one hundred and fifty years ago Filipe de Neve set forth from the Mission San Gabriel with a small band of soldiers and priests and founded the Pueblo de Nuestra Senora La Reina de Los Angeles at the foot of a small ridge of hills, some eleven miles away, he laid out plans which were quite adequate for his day, erecting the main buildings about an open plaza, and outlining a street plan for later development.

The gradual influx of Americans, due to the gold rush of '49, brought about some changes, the placing of the business district on the east side of an earth mass known as Bunker Hill, and the establishment of the exclusive section on the crest of the hill, but the original plan was not entirely discarded until much later.

The meteoric growth in Los Angeles has come during the past twenty to twenty-five years, during which time the population has increased more than tenfold, bringing with it an increased housing need throughout the city. Business, needing expansion, has drifted further east and south, the streets have been extended, new residence districts were constantly springing up. The original city plan was abandoned, and it was impossible to adopt a new one, rather it was a case of fitting in new business structures wherever space warranted, the governmental buildings were overwhelmed, many of the departments being forced to lease additional space in office buildings.

CIVIC CENTER A NECESSITY

To meet the present and future demands of the city, county, state, and national governments, it was decided that a civic center was an absolute necessity for Los Angeles. Therefore, over a year ago the county board of supervisors and the city council entered into a contract with the Allied Architects Association by which the latter were to draw up plans for an adequate civic center within a specified area, without other financial remuneration than the nominal sum of one dollar.

After eleven months of intensive work on the part of the seventy eminent Southern California architects comprising the Association, the civic center plans were presented to the county and city officials for adoption.

Under these plans the terribly congested traffic of the downtown section will be relieved, one of the greatest present eyesores of the city will be transformed into a great park, and the administrative buildings of the various governments will be grouped for all time in a setting well worthy of their civic dignity.

PLANS FOR BUNKER HILL

Bunker Hill, once the proud residence district of the city, has fallen upon evil days in the past quarter century. When business found that expansion was necessary it followed the line of least resistance which led away from the hill and moved further to the east and southward. The hill, deserted by business interests on the east, was, in turn, abandoned by the exclusive who established themselves west of the hill, where a period of retrogression and stagnation set in. The buildings, fine in their day, fell into a state of decay, undergoing the usual stages of degeneration until at the present time they stand, stark spectres against the horizon, unsightly, unhonored semi-slums, and constituting a great fire menace.

The plans of the Allied Architects would create on this hill a beautiful park, surmounted with a Mall nearly a mile long and fringed with sites for future buildings of a cultural and semi-public nature. This park, called Las Alturas (the heights) on the plans, would serve both the utilitarian and the æsthetic requirements of the most exacting mind, since its intrinsic beauty would be supplemented with a means of traffic alleviation by wide boulevards which would encircle the hill for the use of pleasure motors, while trucking traffic would be diverted by great well-aired and well-ventilated tunnels of the modern order cut under the hill.

The need of parks in the center of large cities cannot be too highly emphasized. The citizen, and especially the resident of the poorer sections, must have some open space of shrubbery, green grass, and trees wherein to dream, and from which to derive open-air recreation. At the present time Los

Angeles is sadly lacking such areas well within the heart of the city. Las Alturas would help fulfill this need, becoming a charm spot in the downtown area, with the business section but a stone's throw away. Visitors would be enabled to leave any of the big downtown hotels, motor through this park, connecting with Mullholland Drive through the Hollywood Hills, and reaching the beaches and the countryside in ease over a scenic drive rather than through the congested streets which mark this trip at the present time, for all the boulevards encompassing the park will connect directly with the densely populated country east and north of town, giving immediate access to the business section.

GROUPING OF GOVERNMENT BUILDINGS

Lying east of Las Alturas and extending as far as Los Angeles Street, some five blocks distance, would be the area known as the administration center proper, bounded on the north and south by Temple and First Streets. Here the administrative buildings of the city, county, state, and federal governments would be situated about a great plaza, in a setting of green lawns and shrubbery, within easy reach of city and county alike. In order that the employees of the various governments might work with increased efficiency, unharassed by street noises, the Association has planned the depression of the north and south streets through this area, or rather, because of the location of the administration center upon a low ground ridge, it is more a case of a raised plaza than of street tunneling. The traffic passages would be of the well-lighted, well-ventilated, wide and modern type similar to those developed in the proposed tunneling of Bunker Hill, tending to accelerate rather than to retard through traffic. Due to the tremendous housing space which will be required by the governmental departments using the buildings to be erected here, the Association has laid out sites for structures of the monumental or office type, thus providing ample room for the future as well as the present space requirements.

The two historic landmarks of Los Angeles, namely the old plaza which was laid out by Filipe de Neve and the Mission Church, now in danger of becoming totally overshadowed by commercialism, would be preserved for all time under these plans which make the church the dominating feature of a smaller park, while the plaza would remain unchanged. Buildings fronting the latter would be razed and the structures replacing them would be built on the low order, typical of the era of Spanish domination in California. This sympathetic treatment combined with the old world atmosphere permeating this neighborhood at the present day would readily recall to the eyes of the visitor the scene as it was in the early days when Spain was mistress of the seas.

A CITY'S TRADITION

Too much emphasis can never be placed upon the value of a traditional background to a city. Tradition enriches not alone the mind of the historian but the coffers of the city treasury and of the business man, aside from serving as an inspiration to civic pride and community spirit. And tradition is easily forgotten: it can really only be preserved through landmarks and structures. Remove these and tradition vanishes, never to be restored, since tradition is almost impossible of visualization save through some concrete object.

The plans of the Association will give these landmarks fitting surroundings, restoring them to much of their former state, so that the visitor will be enabled to visualize in his mind's eye a life here in the days when gallant young caballeros clattered through the streets or sang before the windows of their soft-eyed senoritas, and the black-gowned monks of the Franciscan order plodded on their weary way to the wasteland missions where they were destined to live, and often to die, bringing the Catholic faith to the pagan Indians. One will be able to evoke memories from the old walls of the Mission, to hear the call of long ago when the Angelus sounding from the belfry recalled the laborers from the fields, the light laughter that once rang softly through the streets, the soldiers drilling in the plaza in preparation for Indian attacks, in fact all of the phases of eighteenth-century life in El Pueblo de Nuestra Senora La Reina de Los Angeles. The ghosts of the conquistadores walking in the moonlight of the weird hours between midnight and dawn will look on the restored relics of their day and rest content. Tourists thronging the plaza by daylight will feel their presence and depart realizing that they have been looking upon the days of long ago.

PLAN COMPOSED OF SEPARABLE UNITS

East of the administration center proper, extending one block to Sàn Pedro Street and confined within the same north and south boundaries as the former, lie a tentative unit comprising the Union Terminal Plaza to be developed in case the union station idea is adopted by the railroad officials. If the project is rejected this unit would be discarded and the civic center would be closed by the erection of a large building at Los Angeles Street.

It is one of the many admirable features of this plan that it is composed of a series of separate units, each capable of independent and gradual development, yet when completed each tying in with the rest and thus forming a perfect whole. By this means the cost of completion is not thrown upon the taxpayer at one time, rather it is distributed over a period of years, the development of various units being undertaken as their necessity becomes apparent, and as funds become available for the purpose. The engineering problems involved are comparatively simple and inexpensive, and when completed Los Angeles will be famed throughout the world as the possessor of civic edifices ranking with the civic architectural achievements of great world cities both here and abroad.

The Allied Architects Association sponsoring these plans is an organization comprising seventy of the most prominent architects of Southern California. It was formed early in the summer of 1921 for the purpose of affording civic governments the best in architecture at a moderate cost. Since its inception it has completed many contracts for both city and county, the proceeds of which are devoted to the cultural development of the community after the mere working expenses are deducted. The Association has established and is maintaining at its own expense a free architectural and fine arts library in Los Angeles for the use of the general public interested in architecture. This library is the only one of its kind west of Chicago and is believed to be one of the finest collections dealing with architecture in this country. Also the Allied Architects are conducting the architectural department at the University of Southern California, and have established courses in design for draftsmen.

OKLAHOMA ADOPTS PREFERENTIAL VOTING IN THE PRIMARY

BY HARRY BARTH
University of Oklahoma

Jack Walton gets the credit for frightening Oklahoma into a system of preferential voting as an escape from minority nominations. ::

THE political history of Oklahoma has in recent years been full of bitter, partisan contests. This is especially true of the primaries. There are no political machines in Oklahoma in the eastern sense of the word. No preponderingcoalitions exist to iron out factional differences and steam-roller independent candidates for office. The result is in a way political chaos. Any person with a hundred thousand dollars to spend and ambition, can run for office with a reasonably good chance of election. Any person who can unite one of the larger economic groups, as, for example, the farmers or the oil men, or the chamber of commerce element, stands a very reasonable chance of arriving at political success. As a result, the number of men who desire to serve the state is unusually large. The field is invariably split in a number of directions with any one of three candidates having a good chance for victory. There is seldom a clear majority of the total popular vote for any one candidate in either the Republican or Democratic primaries. Minority nominations have been a constant source of irritation.

ABUNDANCE OF CANDIDATES ASSURES PLURALITY CHOICES

Attention has been called to this state of affairs at frequent intervals during the past ten or fifteen years by men interested in perfecting the machinery of the state government. The defect remained, however, uncorrected, until the Jack Walton affair brought home most clearly the danger inherent in the situation. Here a candidate, absolutely unfit to hold public office, rose to the highest position in the state through the possibility of minority nominations. His election to the senate of the United States was only narrowly averted, after he became the candidate of the majority party of the state through the operation of the plurality system.

More buncumbe has probably been written in the press outside of Oklahoma, and particularly in the press of the eastern metropolitan areas, in regard to Jack Walton than about any other person in recent years. Walton assumed heroic proportions in certain of these papers. He became a savior almost, a mythical personage, who was fighting the battle for religious liberty and for the freedom of the individual out in the short grass country. Here was a new prophet risen to protect everything for which America stands. All of which was sheer rot. Religious freedom is no more or less insecure in Oklahoma than anywhere else in the United States. The denominational fervor does not approach its strength in the older sections of the country. The plain fact is that men are too busy making money to squabble over religion. In addition, there never was unusual disorder in Oklahoma. Much of what was written in the eastern press arose in the minds of imaginative reporters. Life and property are quite as safe in Oklahoma as in other sections of the country, and a good deal safer than in some of the metropolitan areas in the east. What happened was that Walton became governor on a radical program, and then, either was unable to or consciously refused to live up to his platform. As a result, his friends were alienated, and in order to win back his rapidly diminishing following he made an issue of the Klan, and attempted to create a serious problem where nothing alarming existed. In this he failed.

After his impeachment and conviction as governor, occurred the best illustration of the failings of plurality primaries. His nomination for the governorship was one example. His nomination as Democratic nominee for the senate was a better. The field was split five ways. In the senatorial primary Walton received an extremely small per cent of the total votes cast. He became, however, the Democratic candidate. He traveled over the state indulging in demagogic appeals, attacking the blood-sucking corporations, promising eternal prosperity, and announcing himself as the people's choice in the most approved Gumpian manner. He secured the allegiance of about one-seventh of the voters of the state, and then set forth to become the representative of Oklahoma in the senate of the United States. Fortunately, independent voting has developed to a considerable degree in Oklahoma, and, although the people voted for a Democratic president, they turned Jack Walton down by 150,000 votes.

THE PREFERENTIAL BALLOT DEMANDED

The shock, given the people by the narrow escape from a Walton as the Oklahoma representative in the senate, made itself evident, when the legislature convened in January of the current year. The most influential newspapers, the leading commercial groups, the outstanding politicians, all resolved to put an end to minority dictation in the primaries. Editorials educated the people, and it may be stated that a preponderant number of people were of the opinion that a preferential primary law had to be placed in the statutes. When the legislature convened a number of bills were at once introduced, all proposing a definite change.

These were of the same general plan. They differed, however, in the value that was assigned to second and third places. They also differed as to whether a vote upon second and third choices should be necessary in order that the ballot be counted. It was not until the last day of the session that the house and senate were able to agree upon a bill, and not until the governor had used his influence to secure a compromise measure.

Briefly, the law provides that in case there are two candidates, only one choice shall be expressed, and the candidate with the larger number of votes shall be considered chosen to office. In case there are three or four candidates, the voters are asked to express both a first and a second choice. When there are more than four candidates, the voter is instructed to express three choices. It is clearly stated in the instructions that unless the proper number of choices are expressed the vote will be cast aside. The ballot form is provided by law. This follows:

FOR GOVERNOR

First Choice;
Vote for One

John Doe..........	
Richard Roe.......	

For Governor

	First Choice; Vote for One	*Second Choice; Vote for One*
John Doe.....		
Richard Roe..		
John Smith...		
Same Jones...		

For Governor

	First Choice; Vote for One	*Second Choice; Vote for One*	*Third Choice; Vote for One*
John Doe.........			
Richard Roe......			
John Smith.......			
Same Jones......			
Tom Brown.......			

With ballots of this type there should be no difficulty encountered by voters of average intelligence in marking their ballots properly.

SECOND CHOICE HAS LESS VALUE

The question arose as to the wisdom of compelling an expression of choices other than the first. What if a voter should have no second choice? Under the law he is compelled to express such a choice. The situation will cause grave complaint to arise should a particular group have only one candidate acceptable to them in a field of five or six. This contingency will probably be rare, and certainly this particular evil is infinitely less perplexing than the one which the state faced under the old primary law.

The chief dispute in the legislature occurred over the value which should be assigned the second and third choices. The bill passed by the senate, known as the Looney bill, credited second and third choices with the same value as first choices. The administration *bloc* opposed this bill and favored limiting the value of second and third choices. This seems to be the more equitable practice, and was the one followed in the bill. It was provided that in case of no clear majority of first choices, the second choices should be added to the first after being divided by two. The man who then had the highest total should be declared the victor. In case of five or more candidates, if no one had a majority after the first and second choices had been added, the third choices were to be added after being divided by three. The candidate with the highest number of votes should then be declared nominated.

By limiting second choices to half value and third choices to third value, the modification was made much less radical than it would otherwise have been. Under the present law, a minority group has considerably greater chance of nominating a candidate than it would have had had the second and third choices been granted equal standing with the first. The modification, although possibly more just, is not as thoroughgoing as the radical reformers desired.

The law made a majority of the first choices the standard whereby the election should be judged. The law reads: "The candidate . . . receiving the largest number of votes shall be declared the nominee of said party to said office, if the total number of first-choice votes plus one-half (½) of the number of second-choice votes for said candidate is equal to or greater than the majority of all first-choice votes." Thus, if a candidate should receive a majority of the first choices after the second choices are added in, he is declared nominated and the third choices are disregarded. This, of course, can only occur when there are more than four candidates in the race.

It will be interesting to watch the actual operation of the law. Oklahoma politics are fractured by innumerable lines. The coalitions which will be built in order to secure for candidates of the same stripe an exchange of second and third choices should make interesting political history. One thing is sure. A definite element of uncertainty has been introduced into Oklahoma elections. So far as Oklahoma may be said to have political leaders and an organization, the influence of the leaders and their ability to determine the results of elections should be considerably decreased.

WESTCHESTER COUNTY PARK SYSTEM

BY JAY DOWNER

Chief Engineer, Westchester County Park Commission

Twenty-two million dollars being spent for a park system will make Westchester County, New York, a good place to live. :: :: ::

WESTCHESTER COUNTY, New York, is developing a large-scale county park and parkway program unprecedented for its comprehensiveness and rapidity of progress. Between July 2, 1923, and April 20, 1925, a period of less than 22 months, the board of supervisors authorized park appropriations in the total amount of $21,798,000.

Westchester county lies immediately north of New York city's northern boundary and includes the territory forming the only mainland approach to New York. It has a shore line of about 40 miles along the east bank of the Hudson River and about 20 miles of water front on Long Island Sound between New York city and the Connecticut boundary.

EXTENT OF SYSTEM

The newly created park system includes water-front parks with beaches along the Hudson River and the Sound with interior park reservations, recreation grounds including golf courses and forest preserve areas. These various reservations are to be connected by a system of motor traffic parkways making them conveniently accessible from all parts of the county.

The parkways will serve a multiple purpose. They follow the stream valleys and consist of controlling strips of land on both sides of the water courses. The creation of such reservations forestalls the nuisance conditions such as dumps and sewage pollution which commonly develop along unprotected small streams with the growth of population. These reservations also provide the natural routes for motor traffic driveways and for trunk sewers.

The system includes more than 10,000 acres of park lands, about 122 miles of parkways and an aggregate of more than 9 miles of park shore line along the Hudson and Long Island Sound. The administrative body is the Westchester county park commission, composed of 9 members, 7 men and 2 women, appointed by the county board of supervisors. It is composed of prominent professional men, business men and publicists serving without compensation. The important factors underlying the launching of this park program are the rapid growth of Westchester county due to its proximity to New York city and the enormous increase in motor traffic.

At the southerly extremity of Westchester county along the northern boundary of New York city, the rapid growth of the cities of Yonkers, Mount Vernon and New Rochelle is filling up the intervening open spaces. A great deal of the building development consists of apartment houses, being built to meet a demand for modern housing conveniences in suburban surroundings.

Prominent citizens and county government leaders recognized the fact that prompt action was necessary to acquire vacant land for parks before it was completely built up and prices prohibitive.

LAND ACQUIRED BY NEGOTIATION

In laying out the system a study of the needs of the county was made and followed by a canvass of cheap acreage lands in large single ownerships to simplify negotiations. The commission adopted a policy of acquiring land by negotiations and direct purchase from owners rather than cumbersome condemnation proceedings. Long Island shore front property has become very valuable and is almost entirely in private ownerships, largely excluding the public from access to the water. After considerable study the commission recommended the acquisition of an undeveloped beach at Manursing Island, the estimated cost of 160 acres of land being $600,000. A striking contrast of the value of shore-front property developed for amusement resort purposes is presented by the recently authorized acquisition of 54 acres at Rye Beach, adjoining Manursing Island, at an estimated cost of $2,500,000. The latter property will, however, be self-sustaining from revenues which the park commission will derive from bathhouses, amusements, and concessions.

Another water-front park on the Long Island Sound shore is at Glen Island, formerly a summer resort widely known, but now a public park owned by Westchester county.

Along the Hudson River, shore property is less valuable and there was a wider range of choice of park locations. Parks have been acquired at Crugers near Peekskill, at Croton Point and at Kingsland Point.

The interior parks include Mohansic Park in the northern part of the county, and consisting of 1,100 acres of splendid fields and woodland conveyed to Westchester county by the state of New York for $1. Mohansic Lake, more than a mile long, lies near the center of the reservation, and an 18-hole public golf course will be opened early this summer.

Tibbetts Brook Park of 424 acres will afford ball fields, playgrounds, boating and swimming lakes in the city of Yonkers just north of Van Cortlandt Park in New York city. The Tibbetts Brook Park also forms a section of the Saw Mill River Parkway which also has another expanded area of about 200 acres at Woodlands Lake near Ardsley.

Other interior parks include Saxon Woods Park, a forest tract of 820 acres, between Mamaroneck and Scarsdale; Silver Lake Park of 491 acres at White Plains, and at Poundridge a great forest preserve of 3,000 acres.

PUBLIC SENTIMENT INFLUENCED BY BRONX RIVER PARKWAY

The Bronx River Parkway, 15 miles long from Bronx Park in New York city to Kensico Dam in Westchester county, was an important factor in enlisting public interest in the new Westchester county park system. This project originated as a remedy for the drainage problem presented by the Bronx River and was a joint undertaking between New York city and Westchester county to eliminate sewage pollution and nuisance conditions. The 40-foot paved motor driveway throughout its length is now open to traffic, with the exception of two small gaps now being bridged at Scarsdale and Valhalla, the official date of completion being fixed by law as December 31, 1925.

The successful carrying through of this work strongly influenced public sentiment in favor of additional parkways, and the new county system includes the Saw Mill River, Sprain Brook, Hutchinson River, Mamaroneck River, and Croton River parkways, also the Cross-County, and Pelham-Port Chester Parkways.

Rapid progress has been made in the acquisition of lands for these various projects. Park boundaries have been adjusted to include swampy lowlands, rough, rocky hillsides and lands in a backward condition either by reason of physical characteristics, location or other reasons. Improved property has only been acquired where unavoidably necessary for a right of way, and forms a small percentage of the total area.

On the most important projects the park commission has generally been able to obtain an option on a tract forming the nucleus of the project before requesting authorization by the board of supervisors. Negotiations were then taken up with owners of smaller subsidiary parcels of land desirable but not necessarily vital to the project, and therefore only purchased if the price was reasonable.

Following this method of direct negotiation and purchase from owners, it is believed that a record has been established in land acquisition with businesslike dispatch rather than the outworn, wasteful method of condemnation proceedings.

REGIONAL PLANNING IN A SENSE

While primarily a park system, the whole scheme has the much broader aspect of a large-scale planning project, particularly for the area of about 125 square miles lying between Tarrytown and the New York city boundary. The park system of open areas, recreational spaces, and parkways combining motor traffic and trunk sewer routes, constitute the principal elements of a large-scale plan to which detailed street systems and local community developments will find adjustment. The various Westchester county cities and villages are now connected in a more or less disjointed manner by existing highways. The park commission is providing main through arteries interconnected to form circuits for efficient traffic movement, but a great deal of secondary planning remains to be done by local authorities. In this connection the need is being felt for some central authority to co-ordinate properly new street systems of real estate subdivision, for which there is now no control.

Westchester county's park system has attracted widespread attention by reason of its magnitude and the rapidity of its progress. Visitors to Westchester from various parts of the country, in some instances, report discouragingly on their efforts to get public support for park and planning projects in municipalities where need and opportunity both are obvious.

There are, of course, various city and suburban park systems in the country that were started many years before the Westchester county system. Its principal distinctions are the richness of opportunities afforded by great natural advantages of location and rapidity of accomplishment after getting started.

MOVEMENT 25 YEARS OLD

The present rapid movement has a long background of slow progress. As far back as 1900, a water-front park at Rye Beach was projected, but voted down by the board of supervisors.

The Bronx River Parkway project had a still earlier origin, a commission having been appointed in 1895 to investigate the Bronx River valley drainage problem. No action was taken, however, until 1907, when the enactment creating the Bronx River Parkway Reservation was passed. New York city, which derives the principal benefit, withheld approval until 1913. The World War and the litigation to compel New York to furnish its share of appropriations delayed completion until 1925. During this period, however, public sentiment in favor of parks and parkways was steadily growing.

Underlying Westchester county's accomplishment is a foundation of honest and efficient county government, all the more notable because it is only held together by the loosely articulated framework of a charter admittedly antiquated. A revised charter adapted to the complex demands of modern conditions is to be voted on by the people this year. But without waiting for this better governmental machinery, the park program has received strong public support based on confidence won through a long record of able administration through responsible party organization.

The park system is financed through county 45-year park bonds maturing yearly. The bonds are an obligation of the whole county and there are no local assessments. The expenditure of the total appropriations of $21,798,000 will be distributed through several years.

The total of taxable assessed real estate valuations of Westchester county is about $900,000,000. When the park program started in 1923 the bonded indebtedness of the county was about $12,000,000 against an allowable debt limit of about $90,000,000.

THE REGION, A NEW GOVERNMENTAL UNIT[1]

THE PROBLEM OF METROPOLITAN AREAS

BY THOMAS H. REED

University of Michigan

"It will not do to assume that arterial highways are planned but that government just happens." :: :: :: :: :: :: ::

Plans must not only be made but executed. Great as are the difficulties in the way of carrying out a plan which affects but one city, they are as nothing to those which dog the path of the regional plan of a metropolis. It is proper, therefore, that we should consider not only the matter of organization for metropolitan plan making but of the organization of the metropolis for plan execution. Consistent and comprehensive results cannot ordinarily be expected from the mere voluntary co-operation of the authorities concerned. It is easy enough to understand why the directors of the "Plan of New York and Its Evirons" pin their faith to voluntary co-operation. They have nothing else to pin to. The proposal to unite in any formal way the parts of three states which fall within the metropolitan area of New York would arouse suspicions and antagonisms enough to lose the battle before it is begun. Under such circumstances it is clearly the part of wisdom to preach voluntary co-operation. Given an intelligently directed and adequately supported planning agency to stimulate the multitude of diverse authorities to action, great things may be thus accomplished. In general, however, to rely on voluntary co-operation is to surrender all hope of substantial success.

NO SOLUTION SATISFACTORY AS YET

The objects of metropolitan organization are: first, to secure the execution of a uniform policy or plan with regard to that group of services properly supplied by local rather than by state or national enterprise and yet of interest to the whole metropolis; and second, to achieve an equitable adjustment of financial burdens between the various portions of the metropolitan community. A metropolis, however, is not an assemblage of individuals so much as a collection of communities in which individuals are already assembled. To these communities attach a complex of pride, prejudice and affection which give rise to what our Belgian friends call "esprit de clocher." Political scientists have long realized the error of ignoring the people's natural emotional responses, however irrational they may appear. No opportunity should be neglected for employing the sentiment of local patriotism in the service of local government. Metropolitan organization, therefore, must not fly in the face of the traditions and habits of the people, but must leave in existence, to the greatest extent possible, the customary units of local government.

A variety of attempts have been made to solve the metropoitan problem. None of them have satisfactorily solved it. We must seek a new method. To begin with, dependence cannot be placed on the enlargement of city boundaries to cover the metropolitan area. The process of annexation has always lagged far behind the spread of population. Take Brussels as an extreme example, with 215,145 people in the city of Brussels and 593,188 in the fourteen neighboring communes. Take Boston, with 748,060 inside the city, and 1,054,260 in a ten-mile zone outside. Paris made her last annexations in 1860, and approximately a third of the population of metropolitan Paris now dwell in the *banlieu.* The present boundaries of the administrative county of London were fixed in 1855 and 3,000,000 people now dwell in the outer ring. Large-scale attempts to solve the metropolitan problem have usually been accompanied by recognition of the identity of existing units—some of them by genuine municipal federalism. The proposition of further municipal expansion, however, even so qualified arouses increasing opposition.

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[1] A paper read at the International Conference on City Planning, New York, April, 1925.

Cities grow after the manner of the forest. Around the parent tree a grove springs up, but seed are also borne afield, and some falling in favored spots sprout into new groves which grows with the first until all are merged in one spreading forest. When outlying centers of population have long enjoyed an individual life that strange spirit, civic pride, breathes through them. They cling determinedly to their individuality, and almost always resist annexation under any guise. The longer they have stood alone, the stouter their resistance. Recently a Royal Commission on London Government listened to the proposals of the London county council for a new central authority in London coextensive with the built-up area and a reasonable margin for development. Within this territory it was proposed to retain local authorities with powers somewhat enlarged over those of the metropolitan boroughs. The county council's proposals were opposed by the representatives of practically every other local government authority in Greater London. There may be a suspicion that these county-councilors, borough-councilors, town clerks, etc., were talking up their own personal influence rather than voicing the views of their constituents. My good friend, Maurice Vauthier, scholar and statesman of Brussels, has written me, anent a similar situation, of politicians "dont l'ambition s'accommode assez bien de la multiplication des mandats municipaux." Nevertheless, the unanimity of the opposition and its frank and thoroughgoing expression could hardly have existed in the face of a contrary public opinion. The creation in 1920 of a Greater Berlin, which by the way embraces an area less than half that of the Metropolitan Police District of London and only slightly larger than that of New York city, might seem to contradict my general statement. It is, however, explicable by the pressure of post-war conditions and a stronger habit of submission to state authority than exists in the English-speaking countries. Furthermore, the legal creation of Greater Berlin dragged along a good quarter of century behind Greater Berlin as a fact.

A LIMIT TO BIGNESS

A growing conviction exists that there is a limit to successful bigness. Once a size has been attained, at half a million, or a million, where the substantial economies of large-scale purchasing and organization have been reached, further bigness only hampers administration. A great city loses in the increasing impersonality of all its efforts more than it gains by the large scale of its operations. As a means of enlisting popular interest in government, great size is equally a failure. In the swollen metropolis the individual is lost and knows it. There was a time when men could be induced to give up local independence and vote for annexation to a big city so that they might say, "I am a New Yorker." To-day they seem to prefer to say, "I am a citzen of Bronxville." The growing army of suburbanites have forsaken the great city because they deliberately prefer the life of the smaller community. They can scarcely be expected to welcome reabsorption into the mass they have tried to escape. The day when the metropolitan problem could be solved by annexation is past.

It is easy in the perplexities of the metropolitan problem to turn to the supreme authority of the state for relief. In the centralized states of Europe, and, to a less extent in England, there is no doubt that some of the conflicts of interest characteristic of metropolitan conditions are smoothed away by the interposition of some department of the central government. I have no disposition to question the beneficent results of thus stimulating the co-operation of neighboring communities. It may prove especially effective where the machinery of common action, like the joint committees of the English planning act or the *syndicats* of communes provided by the French Code Municipalare at hand. There is, however, no administrative tutelage of local government in the United States, nor is likely soon to be.

Quite different is that species of state interference which puts in the hands of state officers or boards the performance within a metropolitan area of functions normally entrusted to local control. Such a unit as the metropolitan police district of London is to be justified as a national necessity not as an expedient for ordinary police administration. The metropolitan district commission in Massachusetts which provides parks, water supply, main sewers and more recently regional planning in the metropolitan area of Boston, is, it is true, appointed by the governor and has, nevertheless, found genuine popular support. Perhaps this is to be explained by the fact that nearly half the population and a decided preponderance of the leadership of Massachusetts is to be found within the district. There are a few other examples of such authorities, such as the Passiac Valley sewerage commission, Milwaukee metropolitan sewerage commission and some port authorities, but there is no likelihood of the general adoption of this method of metropolitan government. It is too distinct a violation of the principle of home rule to be acceptable to the public. It means that the government of the district is not responsible to the people who support it with their taxes. Nor is it any more acceptable to the political scientist. We have discovered no other way of qualifying a community for self-goverment than by allowing it to govern itself. To remove from local control governmental services in their nature of local interest, is to weaken the self-governing capacity of the community. We must reject, therefore, direct state administration of metropolitan affairs as a general solution of the metropolitan problem.

AD HOC AUTHORITIES

In the absence of a comprehensive plan for dealing with the problems of the metropolis frequent resort has been had to *ad hoc* authorities. Apart from the perfectly obvious objection that only a flock of such authorities could give us the general solution we seek, they are usually open to attack on more specific grounds. Where the governing body of an *ad hoc* metropolitan authority is made up of representatives chosen by the cities concerned, it almost inevitably becomes unwieldy and thereby incapable of vigorous and responsible administration of complicated and difficult affairs. The metropolitan water board of London, for example, consists of 66 members representing the London county council, the city corporation, the county councils of the neighboring counties and numerous county-borough, borough and urban-district councils. Its accomplishments have been sufficiently satisfactory, but its best friends admit it is too large, that it is fortunate in having nothing more complicated to administer than a going water service. There is also an unfortunate irresponsibility on the part of such an indirectly selected body, a difficulty that increases with the size of the body and the number of units of local government represented.

Where, on the other hand, the governing body is selected directly by the people it is objected that elections, already too frequent, are unduly multiplied. If there were to be several such authorities, as there must be, completely to solve the problem of metropolitan government, this objection would become overwhelming. It is almost impossible to induce the public to interest itself in local elections now. We cannot afford to diffuse further an interest already so attenuated. I would not be understood to condemn the establishment of particular *ad hoc* metropolitan authorities. The gravest reasons have usually prompted their creation. The rapid increase in their number in the last few years is our best evidence of the reality of the metropolitan problem. Many of them, among which may be mentioned the Montreal metropolitan commission, the sanitary district of Chicago, and numerous port authorities, are to be credited with a liberal measure of success. Nevertheless, the fact remains that the creation of *ad hoc* authorities offers no thorough and permanent solution of the metropolitan problem.

A very interesting suggestion for dealing with questions of intercommunal interest has been introduced in the Belgian parliament by the celebrated bourgomaster of Brussels, Adolph Max. I translate freely from a memorandum on the subject drawn up by M. Max and supplied to me through his courtesy:

> An intercommunal council should be instituted for the whole of the Brussels agglomeration to be composed of delegates of the several communal councils and have the duty of legislating upon all matters declared to be of intercommunal interest by the concurrent vote of all the communal councils of the agglomeration.
>
> If communal councils representing at least two thirds of the communes and three quarters at least of the population of the agglomeration pronounce in favor of the submission of a matter to the intercommunal council, the opposition of the minority will be the object of an examination by the permanent deputation of the provincial council (the body charged with the tutelage of communes.) Upon its advice the government may constrain the minority to accept the submission of the matter in dispute to the intercommunal council.
>
> The decisions of the intercommunal council will be sent back not for ratification, but for execution to the communal councils. This execution will be obligatory.

There seems to be no immediate probability of the passage of even this measure, but it is an interesting and ingenious method of getting common action when the demand for such action is supported by an overwhelming majority of the metropolitan community. There is a difficulty in its application in America because of the absence of a state administrative authority endowed with power to pass on such questions. Here the delegation of functions to a metropolitan organization must—unless we change our legal habits—be preordained by law.

A NEW METHOD NECESSARY—THE REGION

It is easy to see that we are forced back upon the original proposition that our need is a new method. But what is that method to be? A political scientist is on solid ground when he points out the defects only too evident in tried devices. He imperils his reputation when he suggests a new device. With diffidence, however, and in the hope that my proposal may at least serve as a starting point for more constructive thought, I propose the creation of a new unit of local government—the *Region.* Its size should vary with conditions. States predominantly rural might well get along without it altogether. It should be centered usually upon some relatively large urban community, and include the territory socially and economically dependent on it, although I would by no means bar such units as the "Niagara Frontier." Regard should be had at the same time to historic origins and sentimental ties. My proposition has nothing in common with the movement for *regionalisme* in France nor with the devolution of parliamentary functions to regional governments as has sometimes been urged in England. G. D. H. Cole, in his *Future of Local Government,* has suggested something of the thought I have in mind, but on a grandiose scale, and with communistic implications which I would emphatically repudiate. The areas I would establish are smaller, more numerous, and more subject to variation than are his. I can see no reason why small *regions* should not center on Albany, Syracuse, and Rochester as well as large ones on New York and Chicago.

My suggestion of the *region* is based upon the commonly neglected fact that the question of metropolitan areas is curiously interrelated with that of efficient areas for rural local government. The cost of the services expected of a rural government have in recent years mounted with extraordinary rapidity. Highways, which in these days pop first into the mind in this connection, are in reality but one item in the swelling total. These increasing costs are, as is well known, wiping out by inexorable economic pressure the small units of rural local government. Parishes, rural communes, town and townships are doomed by their financial incapacity. Even the larger areas such as our American counties are often unable to meet the demands upon them. For years our municipal reformers, their thought centered on urban needs, have been crying "city and county separation." They based their arguments on English practice. For nearly a century it has been a principle of English local government policy to make every city of 50,000 a county-borough, in other words to separate it, governmentally, from the rural area. A like principle at the same time decreed that all the built-up area around a borough should as rapidly as possible—exception being made of London—be included in the borough. These time-honored practices have suffered a check—for under their operation the population and taxpaying capacity of the counties were melting away. We have perhaps been fortunate that our cry for city-county separation from the rural areas around them is only robbing rural Peter to pay urban Paul.

TWO WAYS OF ESCAPE

From this dilemma there are only two avenues of escape: *First,* state subsidies to rural local government, with accompanying state control; *second,* the creation of large areas of local government centering upon and including the cities—*i.e. regions.*

Accepting, for the moment at least,

the latter alternative we have a unit capable of handling

1. Planning, including zoning and the preservation of suitable forest and shore reservations.
2. Transportation, including street railways, buses and rapid transit lines.
3. Traffic, including highway construction and maintenance.
4. Water supply and electric energy.
5. Drainage.
6. Certain aspects of police, health and charity administration.

Such a unit can be effectively governed by a council, say of nine, elected at large by proportional representation, thus minimizing the evil of multiplied local elections. The financial burdens of the *region* can be equitably distributed by the creation of special assessment districts for such small part of its service as is not of direct benefit to the whole *region*. A regional system will not entirely obviate the necessity of state contributions as a means of equalizing local burdens in such matters as education and highway construction. The *region*, however, will be financially competent and will by the performance of the functions entrusted to it give ample relief to the overburdened rural treasuries. Within the *region* the relations of city and county can be readjusted without hardship.

Perhaps of equal importance to the possibility of successful operation is the fact that the creation of the *region* will not arouse the bitter popular opposition which meets every proposal for city growth by annexation. In the first place, it is not a means to the aggrandizement of any city. If, for example, a region were created in the Hudson-Mohawk valleys—centering on Albany it would not change the census standing of Albany, Troy, Schenectady, or any other city. It would affect the existence, dignity and essential independence of none of the existing units of government. The functions entrusted to it would be strictly limited and would leave the lesser units a full complement of powers and duties. They would not be reduced to the unhappy state of London metropolitan boroughs, certainly not to mere election districts like the boroughs of New York. What is proposed is a uniform system applicable throughout a whole state—a systematic grouping of communities with common interests. The fact that it would relieve the financial difficulties of rural areas and small cities, would naturally tend to reconcile them to the surrender of a few functions to the *region*. I make no promises—no one dares promise what the popular response will be to any suggestion—but I hold out these reasonable hopes.

THE REGION AND CITY PLANNERS

The foundation of regional government is being laid, unwittingly almost, by the city planners. They are daily popularizing the idea of the *region*. Prophets of the new and better day, they have "cast off their moorings from the habitable past" and set forth to chart the course of progress. The alluring idea of the regional plan is already accepted by the enlightened and imaginative. The time is coming, however, when you must take deliberate thought of regional government. For without regional government the fabric of your dreams will fray out to tattered fragments. Governing is a matter of infinitely more difficulty, not intellectually but humanly, than planning. Regional planning encounters no more opposition than the propositions of speculative philosophy. Those who understand approve, and those who do not understand remain indifferent. The proposition of regional government, however, at once arouses antagonisms. It is a new political idea, and many (conservatives and radicals alike) are suspicious of new political ideas. It means the breaking up of vested political interests—some readjustment in party activity, some pruning of the tree of patronage. You will have beautiful regional plans on paper long before you have regional organizations fit to carry them out. The conclusion is inescapable. If it is worth while to plan for streets and parks and terminals, it is worth while to plan for institutions of government. It is the way of specialists to take for granted everything outside their specialty. It will not do, however, to assume that arterial highways may be planned but that government just happens. The one requires and deserves planning as much as the other. Two great mementos the civilization of each age has left to its successors—its structures and its institutions. If there is any difference in the permanence of these memorials it is to the advantage of institutions. Men will be reading the Code of Justinian long after the last three-cornered brick has crumbled from the Pantheon. Let us plan our physical surroundings and our institutions so that they may live on worthily together.

GOVERNMENTAL RESEARCH CONFERENCE NOTES

EDITED BY ARCH MANDEL

Newark Bureau of Research.—Because of the mounting cost of the police service in Newark, N. J., the committee on public welfare of the Chamber of Commerce, through its bureau of research, of which John Blandford is director, made a study of the organization of the Newark police department. The following recommendations, if adopted, will effect an annual saving of $227,000:

Centralization of all detective operations under a single officer. This would affect members of day and night detective bureaus, the auto theft bureau, and plainclothesmen operating in precincts.

Definition more clearly of preventative activities.

Elimination of special details of police to public buildings and municipal departments.

Extension of the motor patrol so that there will be twenty-four such units instead of eight as at present. This also calls for more extensive motorized supervision of patrolmen.

Establishment of the booth system of border patrol, which calls for the erection and maintenance of eight one-man police booths, with telephones, at arterial entrances to the city. Patroling would be done around the entire city by the units operating the booths.

Consolidation of the eight existing police precincts into five.

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Minneapolis Bureau of Municipal Research.—Following up the permanent registration law, which was passed in Minneapolis two years ago, Frank Olson, in co-operation with officials of Minneapolis and St. Paul and with C. P. Herbert of the St. Paul Bureau, drafted amendments to this law, for the purpose of making it more easily workable. The main points covered were:

1. Denying the right of citizens to examine the registration cards which constitute the election register on election day. This was forbidden because such examination constituted an interference with the efficient operation of the elections in former years. The cards were disarranged and election processes slowed up.

2. Removal notices must now be in the hands of the city clerk at least ten days before the date of election. Formerly there was no time limit. This resulted in a jam of calls in the city clerk's office on election day. This year on primary election day, May 11, there were practically no calls because the removal notices had been completely cared for before the day of election.

3. Women whose names have been changed due to marriage or divorce are now required to re-register if such change has taken place since a previous registration. In a number of cases last year election judges tampered with the cards and changed names, which was a serious offense since the original registration was a sworn document. No complaint was made of any person being denied a right to vote on this account in the recent election.

4. The city clerk was given authority to receive from the health commissioner notice as often as every fifteen days of the death of all persons over 21 years of age, which then permitted the city clerk to extract the card of any such deceased person who had been registered. In the two years of the permanent registration law more than two thousand such cases of death were found and under this amendment they were extracted from the live files and put into a transfer file.

Among the criticisms of the permanent registration law, both local and from outside the city, have been the statement that people could impersonate registered voters and thereby defraud properly registered persons of their vote as well as vitiate the election. Although the feeling in Minneapolis is that there is little possibility and no probability of such a fraud being perpetrated, nevertheless, it was deemed wise to make the registration law as nearly fraud-proof as possible. An amendment to the general election law to cover this point was prepared. It provides that the voter when making application for his ballot is required, first, to sign a certificate with his name and address. The election judge then examines the signature on the registration card and compares it with the signature on the certificate, together with the addresses. This is done in case the judge is not personally acquainted with the applicant. A basis for challenging a vote is immediately produced. These certificates are all retained and must tally with the total number of registered cards of those who have voted and with the number of ballots cast. It was thought there might be some complaint, but so far there has been none at all. There are now registered a little short of 190,000 voters in Minneapolis. Another subject of legislation that occupied the attention of the Bureau was the state re-organization bill. Olson, with the Governor and a member of the interim commission, made a trip to Massachusetts, New York, Pennsylvania and Illinois, for the purpose of obtaining data on existing re-organization measures. The bill, introduced by the committee and passed, was patterned largely upon that of Massachusetts, with the emphasis upon financial control first and consolidation of departments second. The Bureau assisted by obtaining data to support the provisions in the bill, suggesting amendments that would strengthen. The next step is the appointment of commissioners of administration and finance, who will have administration of the measure largely in their control.

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Kansas City Public Service Institute.—Aside from routine work, Walter Matscheck reports that the principal assignment is co-operation with the Kansas City Public Improvement Association in the preparation of a ten-year improvement program. Having effected the change in the form of the city government, the Kansas City Public Service Institute is preparing to enter the county field, leading ultimately, it is hoped, to an entire re-organization of the county government.

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Toronto Bureau of Municipal Research.—The work of the Bureau of Municipal Research has mostly been confined to current matters of interest to the citizens of Toronto. As an example of the sort of activity now being carried on, the following may be of interest. Recently, a motion was passed by the board of control, directing the heads of civic departments to notify the board ten days ahead of vacancies or proposed promotions. The Bureau immediately issued an open letter, pointing out that this could only mean the beginning of patronage. The city council requested the board of control to reconsider and the policy has been abandoned.

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Citizens' Research Institute of Canada.—The Citizens' Research Institute of Canada is now preparing for the annual convention of its Taxation and Civil Service branches, which will be held in London, Ontario, on the 29th and 30th of September and 1st of October.

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Philadelphia Bureau of Municipal Research.—The Philadelphia Bureau has just published an index of Philadelphia ordinances with citations of pertinent city solicitors' opinions and court decisions. Only such ordinances as the Bureau considers of general and current interest are cited in the printed index. For the special, private, and temporary ordinances, the user of the index is referred to the Bureau's more detailed card index completed about a year ago.

An introduction to the index discusses the condition into which the ordinances of Philadelphia have fallen through long neglect. They have never had a comprehensive revision, and as a result, many of them which have never been repealed either by city council or by the state legislature are simply being ignored by city officials. This makes it impossible to obtain through the ordinances an accurate picture of the city government and its operating methods, and caused considerable difficulty in the compilation of the index. The introduction further explains that the index is only a by-product of the Bureau's work on the ordinances and not the goal. The goal is a revision or codification by city council

The index and the introduction are the work of Clarence G. Shenton, assistant director of the bureau. Copies of the index are being distributed free to persons to whom it will be useful, but not to others except under special circumstances.

The Philadelphia Bureau has been engaged with various welfare groups and city officials in an effort to promote more effective public health work and to secure greater co-ordination of the work of public and private health agencies. As part of this effort, an intensive health demonstration, to last for several years, is being planned. Recently, the bureau collected information to assist in determining which district would be the best suited for the demonstration. The project is now in charge of a council, consisting of public officials and representatives of a number of private agencies. The bureau's board of trustees has chosen Charles A. Howland, staff engineer, as its representative on this council.

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Toledo Commission of Publicity and Efficiency.—The Commission of Publicity and Efficiency recently finished a survey of the Toledo fire department, in which it recommended the reduction in the fire fighting force of 58 men by reason of over-manning. This condition came about because of the necessity of maintaining an adequate force while the shifts are absent for their meals three times a day. The report disclosed a high degree of efficiency in the department and recommended a drill instructor, fire prevention bureau, fire tower, and a new police and fire alarm building, among other things.

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Taxpayers' Association of New Mexico.—The Taxpayers' Association of New Mexico has been in the middle of state and county budget preparation in the past few years. During the last three administrations, Rupert F. Asplund has acted as governor's budget clerk and as secretary of the appropriation committee of the legislature. Although the state has adequate budget laws, it has no budget machinery, but the Taxpayers' Association has made up for this lack by its assistance. Not only were twenty-two counties visited by Mr. Asplund, for the purpose of assisting in the preparation of county and city budgets, but assistance was also given to the state tax commission in the final consideration of these budgets. The report of this organization, published in its April, 1925, bulletin, indicates that it is doing a vigorous and useful piece of work.

National Institute of Public Administration.—At the third annual meeting of the National Conference on the Science of Politics, to be held at Columbia University, September 7–11, 1925, Luther Gulick will be the director of a round table on Municipal Administration. The discussions of this group will be based on surveys prepared by various research bureaus, the following being scheduled for special examination: City surveys—Newark, N. J., Camden, N. J.; Charleston, S. C.; San Francisco, Cal.; Rochester, N. Y.; New Orleans, La.; Montreal, Canada; Cincinnati, Ohio; Lower Merion Township, Pa.

Dr. Gulick is making preparations for a very profitable discussion in his section, and it is hoped that as many research men as possible can attend. This affords not only an excuse, but a real reason for visiting New York.

Paul Studensky, formerly director of the bureau of research of the New Jersey State Chamber of Commerce, has resigned his position to become associated with the National Institute of Public Administration. At present Mr. Studensky is engaged in preparing a Handbook on Pensions in Public Employment.

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Ohio Legislature.—Four recess committees were appointed by the Eighty-Sixth General Assembly of Ohio to study and report on important state problems. The matters to be considered are Taxation, Prisons and Reformatories, Elections and Highways.

It is hoped that Ohio may emerge from its taxation difficulties through the work of the committee on taxation, which was authorized "to investigate the revenues and expenditures of the state and its various local subdivisions and the laws of this state and other states relating to taxation and public expenditure, and to investigate generally in respect to systems and methods of taxation, to the end that economy may be secured in such expenditure, that the divisions of government may be operated within their income, and that taxation be assessed in the most equitable manner effectually reaching all property which should be subject to taxation and avoiding conflicts and duplication of taxation on the same property; and to recommend the legislation necessary to secure such economy and taxation, including, if necessary, such change in the form of local government in this state as may be required."

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The Governmental Research Conference mourns the passing of Robert E. Tracy, who died on April 13 after a brief illness. He was at one time connected with the Philadelphia Bureau and later, director of the bureau of municipal research of the Indianapolis Chamber of Commerce. At the time of his death, he was associated with Fred Gruenberg in the latter's banking institution.

NOTES ON MUNICIPAL ACTIVITIES ABROAD

EDITED BY WILLIAM E. MOSHER

Metropolitan Areas.—The order of the day at the coming International Congress of Cities at Paris next September will be the problem of the metropolitan area or as the French put it, that of *les grandes agglomerations.* Recognizing that the complications due to the differences between administrative areas and the economic and social areas of dwellers in large cities, are practically world wide, the committee on arrangements has appointed M. Henri Sellier, the mayor of Suresnes to serve as the "general reporter" with reference to present practices and helpful suggestions as to the best solution of this and other more pressing problems. In other words; it is planned to make the coming Congress a clearing-house for ideas and a discussion center with references to the metropolitan area.—*Les Sciences Administratives, Nos. 3 and 4, 1935.*

◆

Intermunicipality.—The doctrine of intermunicipality was first given general currency by the fifth Pan American Conference held in Chile in 1923. It was originally advanced by representatives from Habana, Cuba. It led to a formal request that the League of Nations might properly take over the sponsorship of the doctrine.

The program contemplates: (1) interchange of reports among cities of one and the same nation and (2) among cities of different nations. But the scope of the proposed movement goes beyond the broadcasting of municipal reports and statistics. It is thought that better methods of receiving foreign representatives and commissions, of disseminating information as to expositions, educational problems and the like would fall within the scope of the movement.

The Fifth Assembly of the League of Nations acted favorably upon the request and invited the International Union of Cities and the International Congress on the Science of Administration to indicate what had been done along the lines of intermunicipality, what might be done further and finally what the League of Nations might contribute. The International Union invites all of its members to contribute observations and suggestions. To further this latter end it is setting up a series of questions which aim to indicate in what directions suggestions might well be offered.—*Les Sciences Administratives, Nos. 3 and 4, 1925.*

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Principles of Public Law.—In reply to an inquiry, the director of the International Union of Cities has noted certain general considerations that ought to be observed in setting up laws governing local authorities. Leaving out those that refer in some detail to Belgium, the following are to be noted:

1. In a political organization of a democratic character the utmost possible power of autonomy should be granted, so that obligations and responsibilities may correspond to rights and powers.
2. The right of initiative is indispensable both in the interest of the progressive evolution of local institutions and in the development of civic spirit.
3. It is dangerous and futile to specify details in the law because of the constant changes in civic institutions.
4. All the above mentioned principles apply to the provincial government as well, particularly with reference to the possibility of free and untrammeled development of inter-community projects, such as suburban growth, lighting, transportation, hospital service, etc. A special provision on this subject was inserted into the Belgian constitution after the war.
5. Small and large cities or commercial units enjoy the same privilege of free initiative except that the administration of small cities is subject to supervision by a district commissioner.—*M. Emile Vinck in Les Sciences Administratives, Nos. 3 and 4, 1925.*

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House Construction—Public and Private

England.—Neville Chamberlain summarizes the activities of local authorities and private builders in the matter of housing in the following way:

Twelve months ended March 1, 1925—Under housing acts:

Local authority schemes	
Completed	19,544
Under Construction	24,488
Private enterprise schemes	
Completed	43,223
Under Construction	30,098

Independently private enterprise completed in the 12 month period ending September 30, 1924, 73,032 houses and had 37,218 under construction.—*Local Government News, May*, 1925.

Germany.—A detailed and comprehensive statement covering 201 cities in Germany with an aggregate population of 22½ millions has been published for the fiscal year 1924. The numbers of those that have been constructed or are in process are lumped in these data. The distribution is as follows:

By public authorities	10,052
By co-operative or non-profit making agencies (Gemeinnuetzige Vereimgimgen)	18,823
By private agencies	18,071
Unknown	407

—*Mitteilungen des Deutschen Staedtetages*, 1. *Mai* 1925

◆

Municipal Propaganda.—The close relationship between municipal welfare and the economic growth and prosperity of any given city has given birth to a wide spread propaganda movement among German cities that is carried on by the municipal administration itself. This is thoroughly organized in the larger cities and placed in the control of special officials who serve as information centers as well as propaganda agents.

The chief type of publicity carried on is in the local, but more particularly in the outside newspapers. Special articles on the various advantages of the city concerned are then circulated in publications that are designed for special occasions, such as fairs, expositions, or for trade journals.

In making an appeal for new industries, descriptions and pictures of harbors, docks, warehouses, railroad connections, open spaces for factory sites, and landing places for aeroplanes are laid before the public in the form of bulletins, folders, or brochures, or full fledged books. The Verein fur Kommunahurrtschaft und Kommunalpolitik has brought out a series of monographs of German cities that illustrate the type of publication just noted. Several of these have been referred to in these notes. They cover all phases of the city's life—geographical advantages, historical background, characteristics of municipal government, but also education, art, recreation, as well as the purely economic peculiarities of the city.

Supplementing the printed word and such illustrative material as may be found in books, and pamphlets, a further means of advertising the city is by means of fairs, expositions, conventions and conferences. Or in case expositions are found in other cities special exhibits are arranged that will call attention to the advantages to be found in the city concerned.

The municipal propaganda also makes use of illuminated signs, films, lectures, plays in the theatre, pageants and other means of entertainment.

The writer summarizes his article by stating that "industry, trade, transportation, propaganda and municipal life have merged in the modern stage of development into a new unit."—*Director Dr. Herbst Erfurt, in Zeitschrift für Kommunalwirtschaft, Vom. 10. Mai 1925.*

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Bavaria under the Home Rule Act of 1919.—In view of the widespread interest in the distribution of power within municipal government, the experience of the cities of Bavaria is worth considering. The contrast between this and the council-manager form of government will be obvious.

A home rule act went into effect in Bavaria in 1919. This resulted in the abolition of the system whereby administration was conducted by the magistrat and control by means of a representative council. The customary practice to-day is for the city council to take entire charge of administration. As an aid to more expeditious administration and to more effective control, the council forms from its own number subsidiary groups of two types: (1) *senates*, and (2) *committees*. In addition it may appoint individuals as advisers or general supervisors. These groups are a characteristic and essential feature of the new government. They will be described, therefore, in some detail.

The senates are independent and continue for the life of the council. To them may be assigned such affairs as do not require express approval on the part of the council or are not subject to the control of the state. The police senate is specially common. The senates are competent to issue orders irrespective of the council. Each senate consists of a number of members of the council, at least five of whom must be present for the conduct of business. Members are usually appointed to the several senates because of special experience or training in the field for which the senate is responsible, as, for instance, a leading industrialist would be appointed to the branch of the police senate responsible for inspecting working conditions, or a builder to the division of the same senate in charge of administering the building code. Senate meetings are open to the public. This institution has proved to be very satisfactory and has greatly reduced the amount of business to be transacted by the full council.

The committees are most varied. They are subject to the council. They are usually charged with the preliminary investigation and recommendations for action on the part of the council. A central committee or senior committee (*Altestenauschuss*) is accustomed to go over matters not assigned to special committees before consideration in full session. In the larger cities committees such as the following are usually found: committees on utilities, on finance, housing, and personnel. Committee meetings are usually not held in public. It is within the power of the council to assign to a committee the power of final decision and the right to sign vouchers; but these bodies are not independent in any such way as are the senates. Appeal may be taken at any time to the parent body, whereas in the case of appeal against an action of the senate it is necessary to turn to special agencies provided in the law.

A third possible method of exercising control or of working out policies in advance of action by the council is through the appointment of individual councilmen as supervisors or advisers of some division or branch of work. Such agents serve as mediators and interpreters between the executives and the committees or senates of the council. It is their business to see to it that transactions or events of interest to one side or the other are promptly brought to the attention of the proper authority. They are expected not to interfere, but to stimulate. They have, of course, access to all parts of the bureaus assigned to them as well as the records and reports.

It is to be noted that executive officials have the right to vote in the council only in connection with affairs pertaining each to his special division. This contrasts with their earlier unrestricted voting privilege as members of the so-called magistracy.

The reviewer, Dr. Hipp, speaks in most optimistic terms of the success of the single-chamber system, as he terms it. He lists the following advantages:

(1) A much more rapid handling of public affairs.
(2) Increased influence of the technical executives upon the decisions of the city council, and finally
(3) A more intensive acquaintance with the details of current affairs on the part of the members of the council.

He is ready to admit that there is a certain danger in this system in that it is possible for political considerations to bring about hasty conclusions. Careful preparation by committees of the material to be considered seems to him to have obviated this difficulty. It is also granted that there is some danger of over-burdening the individual members of the council. Here again the proper use of small committees and the assignment of details to the regular working force are a means of overcoming this disadvantage. He concludes with the statement that no system is absolutely the final word and probably won't be. The possibility of some further developments in the direction of a different type of organization is dependent, in the opinion of the writer, upon the growth of the influence of special classes of society divided according to callings and finding due representation in connection with such a political body, as has just been described.—*Oberburgermeister, Dr. Hipp, Regensburg, Zeitschrift fur Kommunalwirtschaft, February 25, 1925.*

ITEMS ON MUNICIPAL ENGINEERING

EDITED BY WILLIAM A. BASSETT

Synchronized Traffic Control Increases Street Car Cost.—The establishment of synchronized control over traffic using Euclid Avenue, Cleveland, which includes electric street railway cars, has greatly increased the power and energy consumption demand of these conveyances, according to a statement made by C. M. Ballou, city street railway commissioner of Cleveland. This is an entirely logical result of this method of controlling traffic as all cars operating over that thoroughfare will stop and start at the same time thus creating a peak power demand at frequent intervals. Mr. Ballou further states that, if, as is contemplated, the control system is extended to include other streets over which street car lines operate and traffic over those streets synchronized with that on Euclid Avenue, the demand for power will be increased beyond the capacity of the present facilities and a substantial amount of additional generating equipment will be required.

In Cleveland where the street railway lines are operated on a service-at-cost basis, any arrangement that will cause a material increase in the operating expense of these lines is a matter deserving careful consideration. While synchronized control over street traffic has demonstrated its usefulness under certain conditions it does not necessarily follow that it should prove a panacea of universal application. There would appear to be considerable question as to whether the installation of this method of control on lower Broadway, Manhattan, has actually resulted in improved traffic conditions on that street. The question might also be asked if the application of this method of control on streets with car lines does not result in retarding the operation of these lines? Any means of regulating traffic on the public streets that will tend to reduce the present hazard merits careful attention by all. However, it is important to avoid causing delay to any class of traffic as delay generally means congestion and economic loss. Further developments in the Cleveland situation with respect to this matter will be awaited with interest.

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Motor Toll Highways Proposed in England.—The construction of a system of toll highways designed for motor traffic only and to be financed with private capital, is proposed in a bill to be introduced at this session of Parliament according to the *Municipal Journal and Public Works Engineer*. The bill proposes to confer general powers for the construction of motor highways in various parts of the country, the carrying out of each project being subject to the approval of the minister of transport. The *Municipal Journal* makes the following editorial comment on the proposed scheme:

> Several ingenious arguments are urged on behalf of the project. First, there is the question of safety. The motor way would be fenced, like a railway, and would pass under bridges carrying the cross roads and their traffic. By relieving the existing roads of the motor traffic that now increases their danger as well as enhances their cost, the promoters of the bill maintain that a double service would be given the community—the general public safety would be added to while the local authorities found relief from the charge of road upkeep. Moreover, it is contended that commercial traffic moving without limitation of speed would find the motor way so advantageous that freightage would be diminished with a resultant benefit to trade.
>
> Whatever the action which local government authorities may eventually take with regard to the project, it is certain to encounter strong opposition from the railway companies. If a case is finally established for the motor way, it is difficult to see for what reason it should be operated as a private venture. Users of the motor car are as much a part of the body politic as the humble pedestrian or the cyclist, and, unless there be some special factor touching his case, the roads should be as free to the motorist as to the farmer. On the other hand, if the maintenance of the motor track is so much more costly than the ordinary road that the imposition of tolls, or some form of special payment is justified—and the taxation borne by the motorist supports that view—that fact does not alone warrant the establishment of a monopoly over a convenience fitted for a certain form of locomotion. If the motorist is to be taxed it is surely better for him to pay to a public authority rather than have to bear a levy extracted by a company which he cannot possibly control. In any case he will be taxed, and on the whole it is not so abhorrent to have to pay to a democracy as to be compelled to pay at the dictation of private monopoly.

This proposal indicates that other countries than ours are at present having difficulty in solving the dual problem of providing highway facilities to meet the demands of motor traffic and the raising of the funds required for these purposes. In this country there is an increasing disposition to make the user of the road pay a substantial part of its cost, both as regards construction and maintenance. This is being accomplished through increased charges for the registration of motor vehicles and the gasoline tax. Moreover, in the case of a number of bridge and tunnel projects designed for vehicular use, both under construction and proposed, it is the intention to collect tolls for the use of these facilities, the revenues thus obtained to be used for the purpose of liquidating the construction cost and providing funds for maintenance. There would probably be little likelihood of favorable consideration being given to any proposal to establish a system of toll roads in this country and in general, the need for recourse to this method of financing this class of improvements would seem to be a remote one. At the same time there are certain undeveloped sections of the country, in which an arrangement of this kind for financing the cost of through roads might offer certain practical advantages.

❖

Seasonal Operation in the Construction Industries.—The economic loss that results to the public from seasonal idleness in the construction industries has long been an accepted fact but that custom and not climate is mainly responsible for these conditions has only recently been appreciated. That much of this loss can be prevented by intelligent cooperation between the public, labor and the various interests identified with the construction industry is one of the conclusions of a committee of the President's Conference on Unemployment which has recently reported on this matter. Secretary Hoover of the United States Department of Commerce, under whose general supervision the committee conducted its work, in a foreword to the report of the committee, comments in part on the significance and value of its accomplishment as follows:

> The committee points out that the employment of building trades workers and the use of building materials should be planned with reference to the probable supply and demand for both, and shows how to determine what is the best time of year to start construction or repairs from this point of view. It wastes the money of the customer and the time and energies of the employer and employees when construction work is undertaken with no regard for the recurring periods of extreme activity and idleness. Conscious planning ahead with reference to seasonal conditions is absolutely necessary to mitigate the extreme ups and downs of construction from season to season and from year to year.
>
> Public works are especially well adapted for scheduling with reference to seasonal as well as cyclical conditions, and the efforts to encourage long-range planning of public works deserve the support of the public, legislators, and administrative officials.
>
> The committee attacks the wasteful custom of concentrating leases on a single leasing date, which throws a heavy burden on tenants, landlords, storage warehouse companies, and public utilities, and which should be modified.
>
> The need to eliminate the wastes of seasonal idleness has been brought forcibly to the attention of the construction industries and the public by reason of high labor costs and the failure of the building trades to attract young men into their ranks. Lengthening the building season will mean greater production from the men now engaged in the building trades and will also go far to attract capable apprentices.
>
> It is necessary, first, to develop information as to probable future demands for labor and materials; next, to develop the habit of scheduling construction and repair work with reference to such demands. This means better housing, better working conditions, and economies in building of all sorts. It will be to the advantage of the construction industries, their workers, and the public which now spends in construction work billions of dollars annually.
>
> In summary, the committee has well demonstrated the most important fact that the seasonal character of the construction industries is to a considerable extent a matter of custom and habit, not of climatic necessity. It gives recommendations of practical methods of solution through specified cooperative action of the trades and professions vitally interested in each locality—architects, engineers, bankers, contractors, building-material dealers and producers, real estate men, and building trades labor. No solution is sought or suggested of government regulation. The service of the committee has been to determine the facts and to point a remedy that is consonant with our national conceptions of individual and community initiative. The need is the development of local consideration by these bodies of the problems in each community, with voluntary action to uproot wasteful customs and habits. The service to be rendered to our whole economic life by the elimination of these gigantic wastes and the conscious planning to overcome these irregularities, the improved condition of labor which is possible not only in actual construction but in the material manufacturing industries, the lowered costs of production and of building which could result therefrom, are great warranty for such cooperation.

A summary of the report is issued as a publication of the United States Department of Commerce, Elimination of Waste Series, and can be obtained from the Superintendent of Documents, Washington, D. C.

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Force Account Methods Disapproved by Office of Public Roads.—The application of federal aid to state highway projects in Arizona, to be carried on by day-labor or force-account methods, has been denied by Thomas H. MacDonald, chief of the United States bureau of public roads. In reviewing the situation in Arizona which led to this decision Mr. MacDonald outlines with unusual clarity the essential requirements of sound highway construction policy. His comments on this matter which appeared in a recent issue of the *Engineering News-Record* are in part as follows:

> While I believe it is an established general principle that day-labor construction of highways is not economical, it is possible in specific cases that certain conditions, if existing, may justify a state in undertaking to construct a road with its own forces, but in no case is the adoption of the day-labor plan as a general policy justifiable from the standpoint of public policy or economy. In order that the day-labor plan might have a fair trial in Arizona, the bureau concurred with the state in undertaking certain projects on a day-labor basis in 1924.
>
> The question of the continuance of this day-labor or force-account practice has now arisen in connection with the construction of Project 72-B. Bids for this project were opened January 26, 1925. The engineer's basic estimate of cost was $242,318 and of five bids submitted the low bid was $162,612 by Schmidt and Hitchcock and the next lowest bid was $210,196 by Henry Galbraith. The state highway department and the governor verbally requested that the state be allowed to construct the project with day labor instead of awarding the contract to the low bidder. It will be noted that the two contractors submitted bids well below the state engineer's estimate of a fair price, the low bid being $80,000 under the estimate. It may well be questioned whether the low bid was not too low, but there still remains a bid $32,000 under the state's estimate, so that there can be no question that keen competition was had.
>
> In the long run the price that the people of Arizona pay for road work will depend on the maintenance of competition by the contractors, and this in turn depends upon fair and just dealing with the contractors by the state.
>
> In September, 1924, the bureau asked for the installation of a cost accounting system on Arizona 74, but we have not received the actual cost of the projects already under day-labor construction. Regular periodical inspections by the bureau engineers and reports received from these projects convince us, however, that there has already been a considerable loss to the state. There is no financial loss to the federal government for the reason that the state agrees in each instance to undertake construction on a unit cost basis, and consequently the excess cost is an apparent loss to the state. It is believed that the excess cost on these projects already amounts to a very large sum.
>
> It is not, therefore, a question of the bureau's desire to interfere with or harass the Arizona highway department, but rather a question of whether the bureau can become a party to the continuation by the state highway department in respect to federal aid construction, of the policy which involves a higher cost for roads than is necessary. The state highway department concedes that the state is unable to do day-labor work as cheaply as indicated by the proposal of the low bidders on Project 72-B, who secured bond and wished to enter a contract.
>
> Occasionally the idea comes to the surface that federal aid funds are distributed to the states to be used as the state pleases. No more mistaken idea could exist. The federal appropriations are made for the accomplishment of certain specific purposes, and the federal supervision is established to make sure that the funds are devoted to these purposes. This bureau is committed to a program of economy and efficient administration that will not bring under the faintest cloud the expenditure of these funds. No item that will contribute toward the scrupulous efficiency and economy in the construction of the federal aid highway system will be neglected. The bureau has made a major point of economy of operation in its own organization, and expects no less from the states in so far as the expenditure of federal aid funds is involved.
>
> Arizona by its rejections of the very favorable bids, defeated the possibility of going ahead with this project at once. Rejection of these bids was over the protest of this bureau, and this protest was in part based upon the fact that the bureau believes this to be one of the most important projects in the state, and there is no doubt that its completion would have been hastened if a contract had been awarded when bids were received. The state had an opportunity to let a contract for this work on January 26, and had this been done the contractor would no doubt have been on the job now. The bureau refuses any responsibility for the delay.
>
> The bureau does not believe in attempting to secure work at prices lower than are reasonable, but we have already given the day-labor plan proposed by the state a fair trial by concurring in the adoption of the plan on the three projects referred to above and from the best information the bureau has been able to secure the resulting cost of these projects has been so excessive that the bureau refuses to be a party to a continuance of this policy when reasonable bids are received.

NOTES AND EVENTS

The Third Commonwealth Conference under the auspices of Iowa State University was held the last part of June. The general subject was the cost of government. The program was divided into round tables and general sessions. Representatives of numerous universities were in attendance, Glenn Frank, president-elect of the University of Wisconsin, being one of the principal speakers.

A notable feature of the printed program were the sets of queries included, intended to stimulate thought in preparation for the round tables.

◆

Terminable Permits Defeated in Illinois.—Under heavy attack from Chicago and other cities of the state who were unwilling to surrender their present measure of control over public utilities within their borders, the so-called Barr bill permitting a public utility to surrender its franchise and receive back a terminable permit was abandoned, although not until it had given many people a severe fright.

The purposes of the bill were obscure, as well as the interests supporting it. A substitute measure providing for a legislative commission to study the subject of terminable permits and report to the next legislature was adopted.

◆

The So-called Indiana Plan, which gives over to a state commission a large measure of control over municipal and local budgets and borrowings, was defeated in the Minnesota legislature, recently adjourned. The bill developed surprising strength, its proponents coming largely from the membership of the Minneapolis Real Estate Board and the Minnesota Real Estate Association. The Minnesota League of Municipalities strenuously opposed the measure. The principle of home rule versus supervision generated considerable heat, although careful students, irrespective of their attitude in the argument, believed that the bill as drafted was unworkable because of conflicts with existing procedure. Whether the idea of an appeal to an outside reviewing body will prevail yet remains to be determined.

◆

Voting Machines No Civic Gain

To The Editor,

National Municipal Review:

I wish to object as vigorously as possible to the theory that the use of voting machines would be a civic gain. While admitting cheerfully that voting machines may be a very convenient and expeditious means of separating the votes for Tweedledum and the votes for Tweedledee I maintain that voting machines would be a very serious obstacle in the path of electoral reform.

The most encouraging thing in the political field in recent years is the advent of proportional representation based upon the single transferable vote as adopted by Cleveland, Cincinnati and many Canadian cities. Unlike the old style ballot which at best permits the voters to choose the lesser of two evils proportional representation gives all the intelligence there is in the electorate a chance to function and opens up large opportunities for the development of civic leadership.

Voting machines of the kind now on the market cannot be used in P. R. elections. If our cities invest considerable sums in voting machines the argument will undoubtedly be raised whenever a new city charter is being considered that the city cannot afford not to use this investment and therefore should dispense with the advantages of P. R. In a close election this argument might tip the scales on the wrong side.

After the Sacramento P. R. election an active member of the National Municipal League summed up the situation thus: "Better spend a few days if necessary to find out who is elected and be glad than to get the result the next morning and be sorry ever after."

Yours very truly,

Charles H. Porter.

◆

The Nutley Zoning Case

To The Editor,

National Municipal Review:

In the May, 1925, issue of the National Municipal Review Mr. Paul Studensky, the director of research of the New Jersey State Chamber of Commerce, made the following statement:

> It was felt by many friends of zoning that this case was not representative of good zoning inasmuch as the store in question would have been located a considerable distance away from the nearest habitation . . .

Unfortunately, this cannot be used in extenuation of the failure of the New Jersey courts to support zoning, as the actual facts are quite contrary. There is a logical business zone with several existing stores already in it within a relatively short distance of the proposed store.

While it is true that there are few houses immediately around the proposed store, it surely cannot be the intent of the article to imply that any relatively undeveloped land should necessarily be open to business, regardless to whether it may be needed for that purpose or not. Manifestly a prime use of zoning is to protect undeveloped lots against the harmful use of neighboring property before it is too late.

It is probably fair to state that no carefully worked out zoning map would have located a business zone where the proposed store wished to locate, as it is obviously and essentially a strictly residential neighborhood.

The article also implied that a board of appeals or adjustment might have saved the situation in the Nutley case. Unless a board of adjustment is given the legislative power actually to change the zoning map and create a new business district to include the proposed store, they could have given no relief whatsoever in the Nutley case, or if they had permitted the proposed store in the exclusively residential neighborhood, they would certainly have gone decidedly contrary not only to the letter, but to the spirit of the zoning ordinance.

Aside from these one or two questions, Mr. Studensky's statement is a very clear exposition of the status of zoning in New Jersey.

George B. Ford.
Vice-President, Technical Advisory Corporation.

*

Detroit's Financial Program.—A special citizens' committee appointed by Mayor John W. Smith of Detroit to prepare an improvement program covering the next ten years has submitted its report. Richard P. Joy, banker and manufacturer, is chairman and C. E. Rightor of the Detroit Bureau of Governmental Research is a member of the committee.

A capital budget of $445,000,000 was recommended for the next decade. Estimates received from the departments total $780,000,000 so that the report of the committee represents some drastic cuts. It is estimated that the average tax rate for the next ten years, if the recommended program is carried out, will be $20.65 per thousand, assuming that the assessed valuation of the city will increase at least $225,000,000 each year.

Some of the largest items include $63,000,000 for the city plan commission, the bulk of which will be used for street widenings and openings, 75 per cent of the cost of which will be met by special assessments; $142,000,000 for the department of public works to be used largely for sewer construction, a sewage disposal system and for street paving intersections, etc.; and $66,000,000 to the board of education, $50,000,000 of which is to go for new buildings.

An estimate from the rapid transit commission of $267,000,000 was denied, with the exception of $27,900,000 allowed for widening of streets to be occupied by the new rapid transit system. The committee concluded, however, that if the estimate of the transit commission was accepted the tax rates would exceed the $20 per thousand maximum which had been determined upon, and recommended more study of the entire transportation problem.

The work of the committee constitutes a notable example of a city taking thought for the future, a precaution which has been all too rare in American cities in the past.

*

The International Police Conference which met in New York in May adopted unamimously the following resolutions relating to the regulation of traffic:

1. No automobile shall be more than 26 feet long, 8 feet wide and 12 feet high.
2. Brakes must be so adjusted that a car making twenty miles an hour can stop within forty feet.
3. All cars must have the left-hand drive.
4. Spotlights must be put out within city limits.
5. The following hand signals should be made universal: Arm extended up for right turn; arm extended horizontally for left turn; arm down to signal intention to stop.
6. The size, shape and color combinations of plates should be standardized.
7. Brakes and steering gears of all vehicles must be tested monthly.
8. The knowledge and fitness of all drivers must be thoroughly tested periodically.
9. The licenses of defective machines should be impounded.
10. Licenses of individuals found unfit should be taken away.
11. The transfer of property titles for automobiles should be regulated by law so that genuine owners may prove their ownership, and so that traffic in stolen automobiles should be discouraged by the impossibility of delivering title.
12. Physical, mental and moral tests should be passed by all drivers.

13. Fingerprints of drivers should be attached to all licenses and deposited with State bureaus.
14. The use of arrows for special traffic signals should be made general.
15. The use of illuminated directional signs should be made general.
16. Speed should be limited to fifteen miles an hour. Villages should not be permitted to restrict speed laws to less than twenty miles an hour.
17. Jail sentences should be given for reckless driving, terms being graduated, in accordance with the degree of recklessness shown, such as two years for driving while intoxicated or under the influence of drugs.
18. The use of glaring headlights should be forbidden.

◆

City-County Consolidation and County Home Rule in Cleveland.—Cuyahoga county and the city of Cleveland, like all metropolitan centers, are wrestling with the problem of a multitude of duplicating political subdivisions and taxing units. The Citizens League submitted a constitutional amendment to the general assembly of Ohio in January which provided for county home rule and granted authority for city-county consolidation and functional co-operation. Under the amendment all of the 93 political subdivisions could, by majority vote of the entire county and more than one-half of the municipalities, be consolidated into one government, or could transfer to the central government those functions of a community-wide nature. This could be done under a charter to be framed by a charter commission elected by the people.

The Metropolitan Council, composed of public officials representing the thirty-three municipalities, opposed a constitutional amendment, but sought to secure the enactment of a so-called "metropolitan district" bill, under which a number of separate functional commissions could be set up, with independent powers, to carry on the various functions for the entire metropolitan area. The Citizens League opposed this bill because of its serious defects and apparent unconstitutionality.

Councilman A. R. Hatton, member of the Metropolitan Council, who had favored the Citizens League's proposed amendment and opposed the council's legislative measure, prepared a brief bill which permits two or more municipalities to enter into an agreement for the joint construction and management of any public utility or improvement.

This compromise measure was enacted into law and seems to satisfy the members of the Metropolitan Council. It does not, however, afford any opportunity to get relief from the duplicating and overlapping political subdivisions in the county which now elect a total of 899 officials every four years. A county home rule amendment passed the senate but died in the rules committee in the house.

Mayo Fesler.

◆

Unexplained Dismissal of Manager of Detroit Street Railways.—Mayor John W. Smith of Detroit has secured the discharge of Ross Schram, general manager of the municipally owned street railways, and I. N. Merritt, secretary of the commission, and observers are keenly interested in learning whether this is a foretaste of manipulation of the properties in the interest of political ambitions.

Mr. Schram had reached the position of general manager through an orderly course of promotion, having served first as secretary of the street railway commission, prior to municipal ownership, then as assistant manager of the original small system, later as assistant manager and acting manager of the consolidated street railways, finally being promoted to the managership upon the death of Manager Goodwin.

Detroit is divided into two antagonistic camps regarding the success of the municipal street railways. Criticism has been made that the tracks are poor, that traffic is congested, that financing has not been porperly conducted and that Mr. Schram, who had had no experience as a street railway manager prior to his engagement by the city, was incompetent. On the other hand many believe that the tracks are in much better condition than ever, that the service is better than under private ownership, that the "pull-ins" are fewer and breaks in wire and delays less frequent. However, when Mayor Smith ran for office last fall, supported by the Hearst newspapers, his platform included the reorganization of the department of street railways and the dismissal of Manager Schram. Following the election, things ran along until the first week in June without any action. At this time, however, the street railway commission was told by the mayor to dismiss both Schram and Merritt. Why Merritt, who had worked his way up from warrant clerk in the old Detroit United Railways, was included in the order it is impossible to determine.

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— *of* —

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261 Broadway, New York

LAND SUBDIVISIONS AND THE CITY PLAN

By
HERBERT S. SWAN
and
GEORGE W. TUTTLE

A city which has obtained subdivisions which are well designed and which dovetail into each other satisfactorily has taken one of the most substantial steps towards the realization of an efficient and comprehensive plan.

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LAND SUBDIVISIONS AND THE CITY PLAN

BY HERBERT S. SWAN AND GEORGE W. TUTTLE

THE plan of a city, one might almost say, is the collective plan of its numerous subdivisions. A city that has been successful in obtaining subdivisions which are not only in themselves well designed, but which dovetail into and complement each other in a satisfactory manner, has taken one of the most important and substantial steps toward the ultimate realization of an efficient and comprehensive plan. The streets, blocks and lots into which an area is subdivided are the constituent elements of every plan. Whether a city has a well-functioning plan depends upon the organization and relationship of these elements to one another.

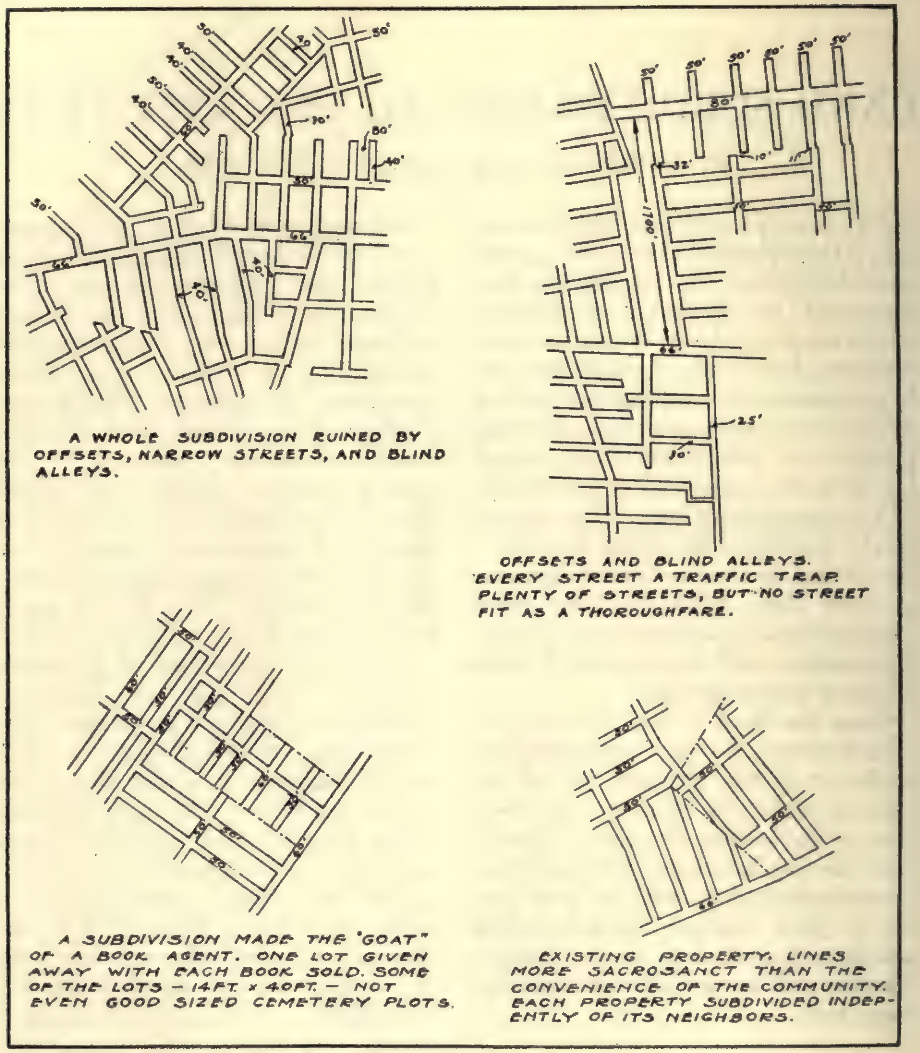
Once the land is laid out without consideration to the circulation of traffic or to the ultimate use of the land, irretrievable damage has been done to the future city plan. There is only one way in which a city can secure a satisfactory plan, and that is by having its plan antedate the subdivision and development of its area. Then its territory will be planned right from the very start.

WILDCAT SUBDIVISIONS

The utter disregard of certain subdividers for the interests of the city in the proper planning of vacant areas has in some cities had the effect of making large areas practically unmarketable. The street plan covering hundreds of acres of ground is so involved and complicated that it defies anyone to find his way through the network of streets criss-crossing the area. (See Plate I for typical illustrations of these subdivisions.)

Although some of these subdivisions have been laid out for years, they have enjoyed little real development. Unsuspecting purchasers who have bought in these developments have been more circumspect in constructing homes upon their lots than they were in purchasing them. People will buy lots from high-pressure salesmen or at auction without closely scrutinizing what improvements are provided in the way of sewers, water, gas and such other utilities as are necessary to serve the community. When they come to build a home on one of these lots, they are, however, face to face with a serious problem. They then too often find that they cannot use the lot because it enjoys none of these facilities. The general consequence is that they refuse to improve the lot. In many instances where these lots have been built upon they have been improved with buildings of such flimsy construction that within four or five years of their construction they have been deserted by their occupants. Many of them serve as a blight to the entire community—vacant and falling into decay, with broken windows, leaking roofs, doors ajar, and generally in a most dilapidated condition.

Some of these developments have been purchased by out-of-town companies who have canvassed people in all parts of the country in order to dispose of their lots. Owners of these lots may be found in every state of the union. Some of them have taken a "flier" on a real estate purchase with the hope that the phenomenal rise in Manhattan land values might be duplicated all



A WHOLE SUBDIVISION RUINED BY OFFSETS, NARROW STREETS, AND BLIND ALLEYS.

OFFSETS AND BLIND ALLEYS. EVERY STREET A TRAFFIC TRAP. PLENTY OF STREETS, BUT NO STREET FIT AS A THOROUGHFARE.

A SUBDIVISION MADE THE "GOAT" OF A BOOK AGENT. ONE LOT GIVEN AWAY WITH EACH BOOK SOLD. SOME OF THE LOTS – 14FT. x 40FT. – NOT EVEN GOOD SIZED CEMETERY PLOTS.

EXISTING PROPERTY LINES MORE SACROSANCT THAN THE CONVENIENCE OF THE COMMUNITY. EACH PROPERTY SUBDIVIDED INDEPENTLY OF ITS NEIGHBORS.

PLATE I

THE WASTE OF UNPLANNED SUBDIVISIONS

The plan of a city is the collective plan of its numerous subdivisions. If streets, blocks and lots—the constituent elements of every plan—are not properly co-ordinated with one another, a well functioning plan becomes practically impossible.

over again on the outskirts of their own city. Of source, many of these purchasers have, after holding their lots for several years, allowed the community to come into possession of them by neglecting to pay their tax bills. In such cases the owners have probably taken the wisest possible action in getting rid of a bad bargain at as early a date as possible.

For example: More than one-fourth of the area of one large eastern city was for sale a few years ago for unpaid taxes and assessments. Why? Private developers had laid out the streets quite without regard to the topography. Not only was the terrain very uneven and rugged, but a thick stratum of solid rock underlay most of it. When the city improved the streets many of the lots were from ten to twenty feet either below or above the street grade. The same dynamite that blasted out the rock blasted away the real estate values. Hence the enormous number of sales for unpaid taxes and assessments.

Barring considerations of expense, the ideal method of approach to the subdivision problem is for the city itself to make an accurate topographical survey of all the land within its present and prospective limits and to lay down a complete plan of both major and minor streets. In this way a well coordinated plan may be obtained, serving all the different interests of the community. This procedure is followed even now by many communities. In New York the city has for over a century directed the character and location not only of the major thoroughfares but of the secondary streets. The same is true of such cities as Baltimore and Philadelphia.

OFFICIAL APPROVAL OF SUBDIVISIONS

The preponderating majority of cities, however, exercise little constructive control over their street plan. In most instances such control as is exercised is limited to the approval or disapproval of plans prepared by the owners themselves.

The power to approve or disapprove proposed subdivisions may be made one of the most effective means of controlling the development of new areas. And yet this power, like every other power, has its limitations. There are some matters of a distinct public interest, which, though desirable in themselves, it would at present seem unwise for administrative officials to insist upon. A comprehensive city plan provides in its ground plan not only for streets and blocks and lots, but for parks, parkways, boulevards, playgrounds, rail and water terminals and public buildings. Some cities in approving subdivisions are even now insisting upon the dedication of 8 or 10 per cent of the area of the land subdivided, for park purposes. In time our city planning powers may be sufficiently extended to permit us not only to insist upon reasonable park areas but to demand appropriate provision for all the features of a comprehensive city plan. That time, however, seems to be some distance in the future.

The writers' ideas as to the length to which a city may reasonably go in controlling subdivisions are presented with considerable detail in the rules and annotations at the end of this article. These rules are based upon the regulations prepared for the planning commission of Stamford, Connecticut. Special acknowledgements are due E. Irvine Rudd, chairman of the Stamford commission, for his kindly and constructive criticism in the preparation of these rules. These rules, when varied to meet local conditions and legal limitations, it is thought, will afford a program for most communities anxious to control their new areas.

In the application of these rules there are, however, certain steps that every city should take. These involve:

1. The adoption of a major thoroughfare plan.
2. The execution of surveys necessary to establish exact location of major thoroughfares.
3. The adoption of subdivisions rules as a guide.
4. The establishment of the policy that all subdivisions must as a

> condition precedent to their approval comply with the major thoroughfare plan as well as observe the subdivision rules.

There is no doubt that the possession of the veto power over subdivisions has, where intelligently exercised, been instrumental in securing subdivisions of a superior character. Yet the power of passing upon isolated subdivisions in widely separated sections of the community over a period of years has not resulted in obtaining either the best thoroughfares or the best subdivisions.

MAJOR THOROUGHFARES

The principal reason for this is that the authorities in passing upon isolated subdivisions have usually not had the facility for knowing how the subdivisions in the different parts of the city would, when all of the land was subdivided, tie together to make a harmonious plan of thoroughfares for the entire community. Each subdivision might have its plan modified by the city until it was felt that the subdivision itself met ideal standards, and yet all of the subdivisions taken together might constitute a very unideal plan for the city.

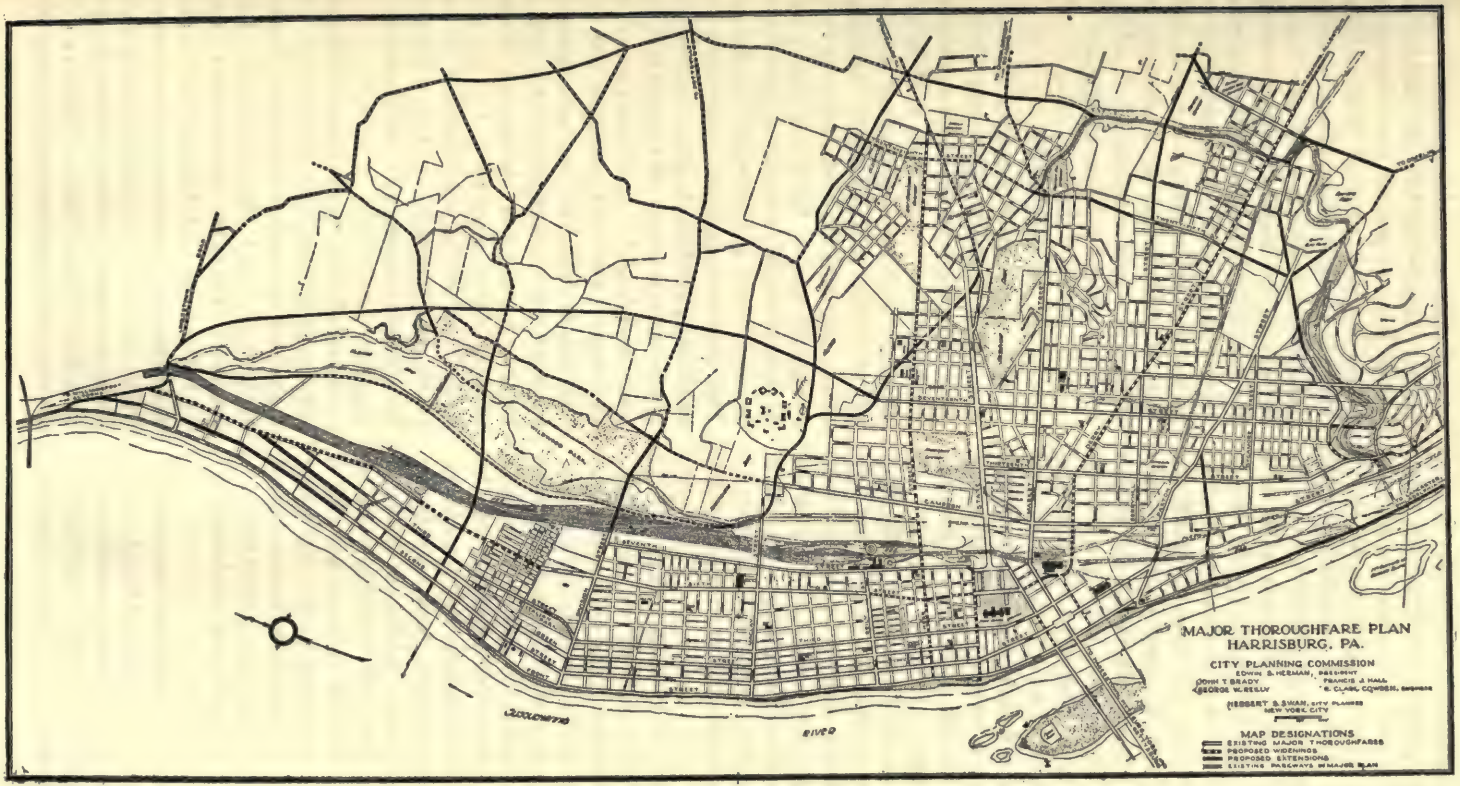
Even though a city may not afford to develop a complete thoroughfare plan for its entire area, it is scarcely an exaggeration to say that no city can afford not to develop a major thoroughfare plan visualizing the traffic requirements of the community when it is two or three times as populous as it is at present. The exact location of secondary streets may in many cities be of comparatively little importance to the well-being of the public, but the location and design of the major thoroughfares are of primary importance to the well-being of the community for all time. These are the streets which link up not only all parts of the community with one another but the community with the outlying communities. These are the streets which carry the bulk of all the traffic. Anything injuriously affecting their continuity or use retards the activities of the entire population. Plate II shows the major thoroughfare plan for Harrisburg, Pennsylvania.

Armed with the power to approve or disapprove proposed subdivisions a city with a major thoroughfare plan is in a position to secure an excellent street plan, even though it may not elect to lay out a complete system of secondary streets. Furthermore, when it approves new subdivisions, it knows that proper provision is made for needed thoroughfares throughout all parts of the city, even though certain portions of its area may not be subdivided for years to come. It secures, moreover, co-ordination between isolated subdivisions without appreciable expense to the community.

MINOR STREETS

Where the topography is fairly level a community with a major thoroughfare plan may permit private developers considerable latitude in laying out secondary streets. But where the land is rugged the community has a distinct interest even in the minor streets. In some sections the topography is so rough that there is danger of securing streets so steep as to be dangerous even for purely local traffic; lots so far above or so far below grade with reference to the streets that unnecessary cutting and filling will have to be resorted to in their development, and streets which make the drainage of the community unnecessarily complicated and expensive.

In Westchester county, astride the Palisades overlooking the Hudson, is a development which, though otherwise attractive, has its sole access over approaches so steep that all the neighbor-


MAJOR THOROUGHFARE PLAN
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CITY PLANNING COMMISSION
EDWIN S. HERMAN, PRESIDENT
JOHN T. BRADY
FRANCIS J. HALL
GEORGE W. REILLY
E. CLARK COWDEN, SECRETARY
HERBERT S. SWAN, CITY PLANNER
NEW YORK CITY
MAP DESIGNATIONS
EXISTING MAJOR THOROUGHFARES
PROPOSED WIDENINGS
PROPOSED EXTENSIONS
EXISTING PARKWAYS IN MAJOR PLAN
RIVER

PLATE II

The Major Thoroughfare Plan of Harrisburg, Pennsylvania

Compliance with this plan is a condition precedent to the approval of all land subdivisions.

hood merchants refuse to serve residents during the winter months when there is ice and snow on the ground. Whatever the residents desire, be it groceries, meat or vegetables, they must carry it home themselves,—there are no deliveries. Many a lover of a hillside home, enchanted by the sweeping vistas up and down the Hudson from the tops of these magnificent hills, has in the springtime blithely bought a home. But with the return of spring this selfsame lover of a hillside home, after a winter of slipping and falling down the steep, icy hillside road to his station, has listed his home with a realtor preliminary to purchasing a home on a safer and more accessible thoroughfare.

Streets so steep that cars stall going uphill because the gas won't flow into the carburetor, are as frequently met with in the hill sections of Iowa as Pennsylvania, Washington as New Jersey, Virginia as Massachusetts.

To obviate situations of this character, cities with exceedingly hilly territory should proceed, as means permit and as systematic development demands, with the preparation of complete street plans for their entire area. This work may cover a period of years. It is not intended that all of the vacant land need be immediately mapped; the work should progress in accordance with such demand as there may be for an increase in the subdivide areas of the city, so that each of these areas as it is subdivided will be provided with a street plan, both as to major and minor streets, which is not only best designed to serve the entire community but best conceived for developing the land itself for improvement.

Where topography is comparatively level there is, of course, far less need for such action than is the case with steep hills, rugged bluffs, valleys and ravines cutting up the land. But it goes almost without saying that it is altogether impracticable to control the subdivision of property in very rugged areas by any general rules. Where there is a great variety of topographical conditions, there is only one way to subdivide the land in the way it should be subdivided and that manner presupposes an accurate topographical survey. Indeed, every complete street plan should, before it is permanently laid down and established, be based upon complete engineering data.

SURVEYS

The adoption of a major thoroughfare plan, however, does not need to wait upon the execution of a complete topographical survey. It is altogether possible with the aid of such maps as are available, particularly the tax maps of the city and the United States topographical maps, to develop a major thoroughfare plan based upon a reconnaissance of the territory involved. Field inspections of the ground supplemented by studies of present and future traffic requirements of the district, together with such considerations as the drainage of the land and its future use, will suggest the location and necessity for different thoroughfares as well as their approximate location. Major thoroughfares planned in this manner will show the general location of the traffic arteries subject to minor changes which exact surveys of the routes may suggest.

Many of the proposed thoroughfares may pass over rugged topography. It may be necessary for them to ascend high hills and descend into deep ravines. Yet these thoroughfares may tentatively be laid down upon the city map from an inspection of the ground with the aid of such topographical maps as are available. Obviously, the location of such thoroughfares can be shown only approximately upon the map. Accurate surveys are indispensable to fit these streets closely to the topography and determine with precision their most economical and satisfactory location. Yet these accurate surveys may, instead of preceding, follow the preparation of the general or skeleton plan of highways.

With a major thoroughfare plan the city is able to concentrate its surveying forces on those routes where the surveys will be of the maximum importance to the location of its basic streets. Much of this work can be done as, if, and when, the need for it arises, but a little ahead of the subdivision of the land itself. This thoroughfare plan will enable the city to concentrate all of its activities in those sections where this work will count for the most; it will also enable the cost of the survey to be spread over a number of years.

In territory that will probably be subdivided in the immediate future, no time should therefore be lost in making exact surveys through the territory traversed, so that the thoroughfares may be located with precision along the best possible routes. Certain sections develop more rapidly than others. It is especially important that the major thoroughfares be laid down in these sections as soon as possible.

PLATTING THOROUGHFARES ON TAX MAPS

When street lines have to be laid down before exact surveys can be made, it will often be sufficient for the town engineer, from an inspection of the ground, to lay down on the tax maps, scale 50 feet to an inch, the lines the streets should follow in order to preserve the intent of the map.

Proposed street lines, as shown on the thoroughfare plan, can readily be transferred to the tax maps if care is taken to follow the intent of the map by preserving the continuity of all streets across intersections. Such a map would be a sufficient guide for property owners to see how the proposed streets affect their property. It will also enable surveyors to locate the streets upon the ground in such a manner as to carry out the intent of the plan. The location of streets by private surveyors should require the supervision and approval of the city engineer to make certain that the intent of the town plan is conscientiously carried out.

The street plan should, of course, be legally accepted and put into effect. All owners are anxious to improve their property in a manner to increase its value. Until an official map is adopted they do not have the facility of improving their property in a way that will make a part of a comprehensive or unified plan. Nor can they develop their land in a manner that will best serve the interests of the community or that will give their property its greatest permanent value.

ENFORCING COMPLIANCE WITH THOROUGHFARE PLAN

Sometimes one can go considerably beyond the mere authorization of the law in securing a desirable platting of vacant areas. The application of subdivision rules to new subdivisions may not always prove effective in the case of obstinate individuals who have no regard for the wishes of the city. But in most instances when such rules are wisely applied it will be found that much better results will be secured than has hitherto been the case. It may be found desirable to supplement such rules with additional requirements of a coercive character to force recalcitrant individuals to comply with the community's plan of development. For instance: Land subdivided without compliance with the major thoroughfare plan of the city might be permanently barred from being served by public utilities such as water, sewers, street lights and police, or from having its streets accepted and maintained by the city.

Of course, certain irresponsible subdividers would not even let this daunt them in carrying out their selfish designs. They would proceed to sell off the lots and leave their clients to seek their own redress with the community after the lots had been improved. Yet, refusal on the part of the city to serve subdivisions that had not received its sanction, with water, sewers, etc., would, in most instances, prove efficacious in securing a superior layout.

Nearly all municipalities are very much in need of additional legislation to strengthen their hands in dealing with subdivisions. Where a developer has subdivided his tract without regard to the city plan, it would seem only fair that the prospective buyers of the lots should have some notice of this fact. An effective approach to this problem, provided it were legal, would seem to be for the legislature to pass a law authorizing the city in the case of any property violating the city plan to spread on the records of the county clerk's or county register's office a minute to that effect. Anyone buying a lot in such a subdivision would then buy it knowing that the city would not serve him with either water or sewers, or accept the street in front of his premises,—in other words, that he would be quarantined in perpetual isolation from all of those enjoyments which come from having one's street publicly accepted by the municipality. This notice would be recorded as a lien or mortgage, so that anyone purchasing property would be apprised of the full facts as to the conformity of the property with the city plan when he searched the records for his title. If such a notice as to the conformity or non-conformity of plots to the official city plan were spread upon the records, shyster real estate development companies, it is to be expected, would practically be put out of business.

The difficulty in enforcing a city plan in vacant areas is usually the inadequate control the city has over the development company. When a company has developed a tract, it is now able to dispose of its lots to unsuspecting purchasers who firmly believe that they are buying a lot which they will be able to improve with all of the requisite facilities for urban use. If purchasers in buying lots had this notice, the probabilities are that they would buy only lots that conformed to the city plan.

In the eyes of an unscrupulous developer a lot may be a lot, but the disillusioned purchaser knows full well that there is a difference between lots and lots, that a lot at normal grade equipped with public utilities and situated on a street which is an integral part of a comprehensive thoroughfare plan is not of the same genus as a lot under water, or a lot on top of a clay bank twenty feet above an isolated thirty-foot street.

EXTRA-JURISDICTIONAL CONTROL OVER SUBDIVISIONS

In many states cities have obtained the legislative authority to control the development of the satellite communities that are prone to spring up within three or four miles of the city limits. Among such states are Pennsylvania, Virginia, Ohio, North Carolina and Oregon. In most states, however, cities do not enjoy this power. As a result, there is often absolutely no harmony in the development of two municipalities on opposite sides of a boundary line,—each municipality is supreme within its own jurisdiction. This situation frequently leads to the most disheartening results, for autonomy in their own affairs is frequently construed by these villages, towns, or boroughs to mean the same thing as license in their development—an utter lack of building codes, no fire limits, no sanitary or health regulations, no restraint in the layout of streets or lots, in a word, no community control over matters of the most profound community interest.

In no respect does this shattering of administrative control, or rather, this abnegation of administrative control, produce more dire consequences than in the subdivision of land into streets and building lots. Bryce spoke in his *American Commonwealth*, over thirty years ago, of our cities as the one conspicuous failure of our democracy. Although it is quite commonly believed that our cities have lived down this imputation during the three decades that have since elapsed, an examination of the street plans of many suburban communities is enough to make one pause and reflect whether our municipal progress has been as great as we think.

The development of a rational street plan is practically hopeless under divided control. The boroughs, towns and villages neighboring a city cannot in the very nature of the case, exercise the scrutiny or the control necessary to secure a logical street plan for the whole urban area. These municipalities may disapprove of bad subdivisions, they may exercise a very desirable negative control over the worst developments, but it takes constructive action to obtain positive results in the way of a convenient and serviceable thoroughfare plan. This initiative must come from the parent community. It is this fact that justifies every city to ask for the necessary legislative authority to control developments within a reasonable distance of its orders.

MUNICIPAL CENTRALIZATION

A policy of extreme decentralization in the chartering of municipal corporations in some states has led to a situation where what should be a single city has been chartered as several separate and distinct municipalities. In many instances it would be difficult to justify these different municipalities as separate wards; to justify them as wholly independent and autonomous cities and villages is simply ludicrous.

As a united urban unit these weak municipalities might constitute a strong city with sufficient wealth and credit to undertake a big, imaginative program of municipal development; as broken fragments of a city they will always remain impotent.

A well-rounded city, it is every day becoming increasingly more clear, should embrace the entire urban area directly tributary to it. Thoroughfares, parks, sewers, water, fire, police and schools are scarcely political problems; their consideration cannot be satisfactorily limited to arbitrary political boundary lines. Yet, with the present multiplicity of satellite municipalities hemming in a city on all sides, these urban problems are studied in a fragmentary manner. Both topography and geography are relegated to a secondary place in the planning of the city's area. Common sense would dictate that engineering problems be solved in an engineering way; that a community, which actually is to all intents and purposes an integral area, be planned as a unit and not as half a dozen broken units.

PLANNING VS. RE-PLANNING

To the developer, the subdivision of land is primarily a matter of profit. He is principally interested in such questions as the number of lots he can carve out of a given area; how quickly he can dispose of his lots; and how much money he can realize in the aggregate from the sale of his land. His problem is solely a problem of money and of how much money in the shortest time.

To the city, the subdivision of land is a matter of grave public concern affecting its whole future well-being.

An initial mistake in its street layout compels many a city, which might otherwise use gravity, to pump its sewage. Inattention to the important matter of drainage in the original subdivision has cursed thousands of homes with wet cellars. A miserly allotment of building sites forces innumerable families to live in dark and dingy rooms. Traffic congestion, with all of its inexorable toll in the life, limb, time and money of the community is to a very great extent the direct result of improper street planning.

Nearly every city problem is related to its ground plan. It is more often lost sight of than kept in mind, yet the manner in which the city's area is subdivided intimately affects, even though it may not conclusively define, such considerations as the safety and mobility of both its pedestrian and vehicular traffic, the drainage and sewerage of its area, the cost of carrying out public improvements, the density and sparsity of its population, the social environment of its inhabitants, the range of land values, the solvency of its lot owners, and even the stability of its own finances.

So long as a city neglects to control the platting of its new areas in accordance with a comprehensive plan, it neglects its greatest opportunity in constructive city planning. One thing is certain: Just so long as we remain indifferent to the proper planning of our undeveloped areas, we must actively concern ourselves in the re-planning of our built-up areas. One or two active real estate developers may, even though they be the most enlightened and conscientious citizens, if their work is unsupervised, within a few years do more real damage to the plan of a city than the public can, through generations of effort and millions of expenditure, correct. If our city planning is ever to be something more than city patchwork, we must plan our new areas.

RULES FOR THE GUIDANCE OF THE PLANNING COMMISSION IN APPROVING NEW SUBDIVISIONS

1. *Definition of a "Subdivision."*

A subdivision is any change, alteration or rearrangement in the boundary or division lines of a parcel of property or street.

The public control exercised over subdivisions should extend not only to the original subdivision of a tract but to all subsequent changes in the subdivisions affecting the street, block or lot lines. If public supervision were limited to original subdivisions an opportunity would, obviously, present itself to subdividers to effect as changes or modifications in a layout, the very results that the community guarded against in the original platting. Narrow streets, blind streets, steep grades, narrow and diminutive lots are as undesirable and as fraught with anti-social consequences whether obtained in the original subdivision or later through an amendment to the original subdivision. All of these matters are possessed of a very potential, if not present, importance to the well-being of the city. The definition of a subdivision should, therefore, be sufficiently broad to include not only all subdivisions but all changes in street, block or lot lines, which in any way may affect the public health, public morals, public safety or general welfare.

2. *Preliminary Plans*

A preliminary street plan should be submitted to the planning commission for tentative approval by it before the subdivider proceeds with a final plan.

The preliminary plan shall be on a scale not smaller than 200 feet to an inch and shall show the boundary lines and ownerships of the properties to be subdivided, contours at not greater than 5-foot intervals, water courses, adjacent streets and properties, as well as such other existing features as may be of assistance to the planning commission in passing upon the subdivision. Profiles showing the present and proposed grades of all streets shall be shown to a scale, whenever practicable, of 40 feet horizontal and 4 feet vertical. All elevations must be referred to some permanent bench mark, which must be described; where practicable, city datum is to be used.

A preliminary plan is required as a measure of economy. An engineer in designing a subdivision usually prepares a number of sketches before he succeeds in satisfying himself or his client. It is only when the design is decided on that the complete plans are worked out and the lines and dimensions determined. To prepare a final map before the general design is decided upon would often mean that the time and labor involved would be wasted.

To avoid the waste which would be involved in the possible rejection of a "final map," a preliminary plan is required which, though it need not be elaborate should show all features that will aid the commission to determine the merits or demerits of the plan. In addition to the proposed location of streets in the subdivision, the most important data needed in this respect are: the relation of adjacent streets and property to the subdivision, the location of buildings on the property, the location of water courses, and topography of the land.

As the preliminary plan is for information only, much latitude is allowed the designer in its preparation. It is required, however, that the scale shall not be smaller than 200 feet to an inch for the reason that the necessary information can rarely be shown satisfactorily on a lesser scale. Working profiles of the proposed streets are called for in order to determine whether the street grades and drainage are satisfactory. A uniform scale and datum is desired in order that the profiles can readily be compared with one another.

3. *Street, Sidewalk and Roadway Widths*

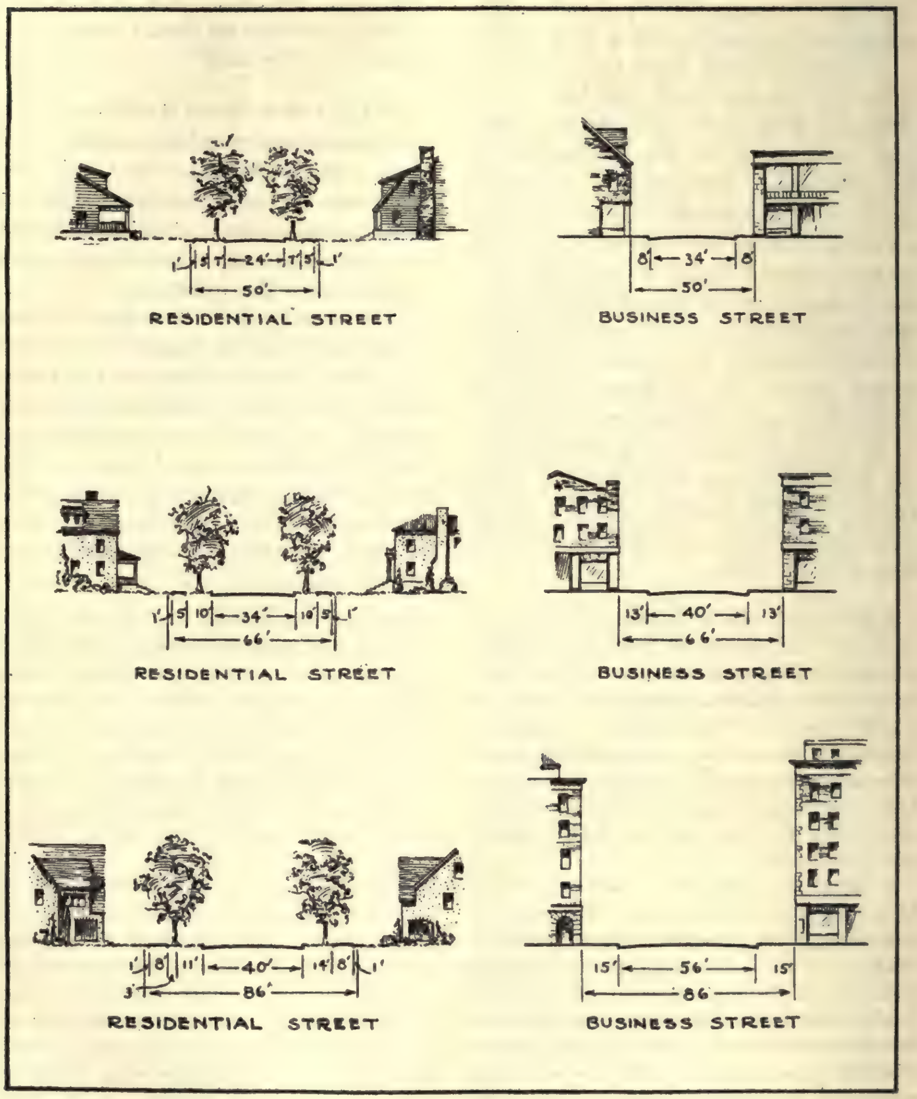
Sidewalk and roadway widths shall be as indicated for that width and class of street, on accompanying diagram showing cross-sections of streets, unless the planning commission in a specific case rules otherwise.

No street shall be less than 50 feet in width. Major or traffic streets shall be of the width indicated on the major thoroughfare plan. Sidewalk and roadway widths shall be as indicated for that width and class of street on the accompanying diagram showing cross-sections of streets. An exception may be made by the planning commission in a specific case.

Continuity of direction is a desirable quality in a thoroughfare; so is continuity of width, but desirable as both of these qualities are, private subdivisions guarantee neither. Not only do streets frequently change directions, they also frequently change width. Changes in direction sometimes carry traffic far out of its course; changes in street widths reduce the capacity of through traffic streets to the capacity of their narrowest link.

The major streets should be carefully designed as a system. The proper width of traffic streets in the plan is just as important as the size of a particular pipe in relation to the water or sewer system. It has been designed for its particular function in the system and should not be departed from. Minor or residence streets should be fitted to the local requirements. Where no traffic possibilities are involved and the streets are short, a width of 50 feet will usually meet the requirements, but in no case should the street width be less than the statutory requirement.

Streets should be adapted to the function they are to serve. Roadways as well as sidewalks should be suited to the traffic they are to bear. Needlessly wide roadways in residence streets are expensive to construct. They are also unsatisfactory in appearance. On the other hand, narrow roadways on heavy traffic streets result in danger, congestion and loss of time.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24'
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50'
RESIDENTIAL STREET
8
34'
8
50'
BUSINESS STREET
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34'
10
5
1'
66'
RESIDENTIAL STREET
13'
40'
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66'
BUSINESS STREET
1'
8
11'
40'
14'
8'
1'
3'
86'
RESIDENTIAL STREET
15'
56'
15'
86'
BUSINESS STREET

PLATE III

Cross Sections of Streets

The design of a street should be adapted to the volume and character of its expected traffic.

The arrangement of streets should be standardized to a limited number of types which have proved efficient and satisfactory, and which will best meet local conditions. Such standard street cross-sections are shown in the accompanying diagram. It is recognized that very special requirements have to be met in certain cases, which may render the application of a standard cross-section undesirable. The planning commission would rule on the cross-section to be employed in such cases (Plate III).

4. *Block Lengths*

Intersecting streets shall be laid out at such intervals that block lengths are not more than 800 feet, except where existing conditions justify a variation from this requirement.

Blocks should be limited to a reasonable length. Many existing blocks are entirely too long. It is very inconvenient for a person living near the middle of such a block to reach a corresponding point on a parallel street. Public convenience demands that block lengths should not be excessive.

Many communities at first expand along a single street. Naturally the owners of property along that street are averse to the reduction of their frontage, necessitated by the provision of cross-streets. Consequently, such streets are often infrequent.

If sufficient cross-streets are not provided for in the original plans it becomes increasingly difficult to make proper block lengths as the property is developed. The defect is rarely remedied. Communities will generally suffer permanently the inconvenience and loss due to the lack of cross-streets unless these streets are provided at the start.

5. *Block Widths*

The width of blocks shall normally be not less than 200 feet nor more than 300 feet.

Uncontrolled subdivisions play havoc with the street plan; they are scarcely less disastrous to the block and lot plan. Frequently the blocks are made so narrow that they permit of but a single tier of lots in a block, as the lots run through from street to street. In such cases at least one street—and when houses front alternately on both streets—then both streets are made backyard streets. The cost of providing these through lots with gas, water, sewers, and pavements is double the cost of providing the lots on a two-sided street with similar service. A house facing a garage and flanked on either side by garages, naturally has its value depressed to correspond with its garage environment. But it is not only the sales value of such a home that is depressed, its social, moral and sanitary environment sinks, if anything, below the level reflected by its market value.

A block 200 feet wide can be divided into two tiers of lots, each 100 feet deep; a block 300 feet wide into two tiers of lots, each 150 feet deep.

6. *Continuation of Existing Streets*

New streets shall, as far as it is practicable, be continuations of existing streets. The width of new streets shall not be less than that of existing streets unless the planning commission in a specific case rules otherwise.

The street plans as developed by individual owners without regulation are faulty in many respects, but in no particular are they more prejudicial to the public welfare than in the lack of continuous streets. This fault would be corrected by recognizing existing layouts in the vicinity and continuing the streets already laid out through the new subdivisions. This would tend toward orderliness and method in the development of a street system. Many towns have developed automatically from a single plan by the continuation of existing streets over neighboring properties, as the town expanded. Such expansion has serious faults, but it is very superior to the individual planning so common where vision does not extend beyond the particular property.

Streets should not be throttled for a block or two due to the niggardliness of an individual developer or his desire to obtain deeper lots or more lots. It is therefore required that new streets shall be as wide as the existing streets of which they are continuations.

7. *Streets to Be Carried to Property Line*

When a new subdivision adjoins unsubdivided land susceptible of being subdivided, then the new streets shall be carried to the boundaries of the tract proposed to be subdivided.

In subdividing property in the past it has been quite common for owners to terminate streets which could be continued into neighboring properties, short of the property line. This has prevented neighboring properties from connecting with the streets. To obtain continuous streets through successive subdivisions it is absolutely imperative to carry the streets in each subdivision to the property line. To do less is against both the public interest and the permanent welfare of prospective owners in the subdivision. The practice of stopping streets short of the property line should be entirely prevented. The rule, therefore, provides that streets shall be continued to the property line.

8. *Dead-End Streets*

Dead-end streets or offsets at street intersections will not be approved where the conditions are such that a through street can be laid out. A turn-around roadway with a minimum radius of 30 feet must be provided at the closed end of all dead-end streets; the customary planting strips and sidewalks on such street shall encircle this turn-around.

There are scores of blind streets in almost every city,—streets which go in but do not come out. In most instances there is no turn-around at the closed end of these streets. The difficulty traffic experiences, even though it may be of a strictly local character, in such streets is evident. These *cul de sacs* are scattered in all parts of the town. In some sections nearly every street is a blind street. The fire hazard of such streets acts as a permanent threat to the whole community.

Free circulation for traffic is a fundamental requirement for present-day streets. Dead-ends in streets are quite as detrimental as they are in service pipes. Both dead-ends and offsets should be eliminated as far as possible from all streets. In rare cases a dead-end cannot be avoided. For that condition the rules provide a turn-around at the end of the street of such size that a motor car can turn while moving forward.

Offsets at street intersections impede traffic so much and are such a source of traffic congestion that large sums have been spent in many cities in cutting off or rounding corners and straightening out crossings. These offsets originate through the independent subdivision of properties on each side of the intersecting street. Often on account of property lines and the size of the lot, an owner finds that a cross-street which does not register with the similar cross-street on the opposite side of the intersecting street will give him more satisfactory lot depths than if he continues that cross-street. He therefore promptly lays out the offset street to the disadvantage of future traffic. Such faults must be corrected at their inception, hence the necessity of this prohibition.

9. *Enlargement of Street Intersections*

No intersecting streets shall be laid out with the angle included between adjoining street lines less than 30° nor greater than 150°.

Street intersections shall be enlarged by the following minimum amounts:

If the angle included between the adjoining street lines is 90°, then these lines shall be joined by a curve of 20 feet radius, the external secant of which is 8.28 feet.

If the angle included between the adjoining street lines is less than 90°, then these lines shall be joined by a curve with a radius of 20 feet, minus 1.6 inches for each degree that the angle is less than 90°.

If the angle included between the adjoining street lines is greater than 90°, then these lines shall be joined by a curve with an external secant of 8.28 feet plus 0.27 feet for each degree that the angle is greater than 90° (Plate IV).

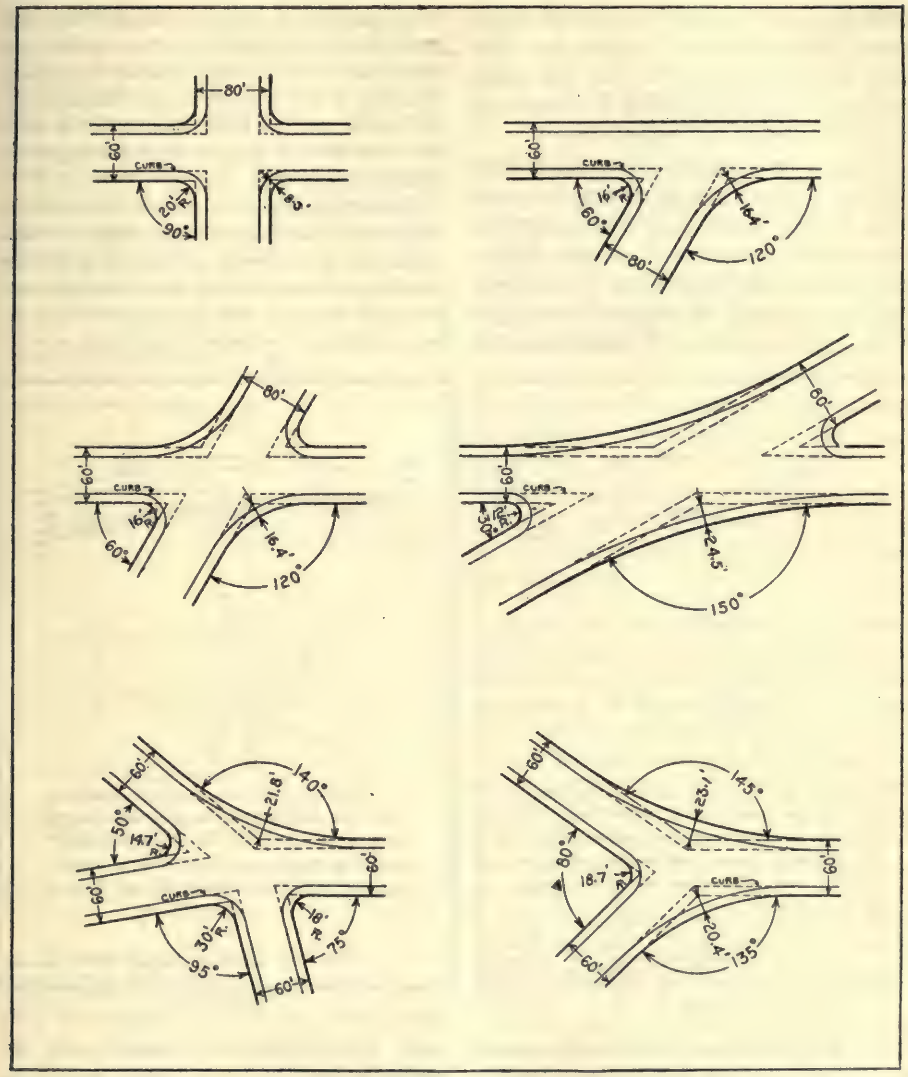
This rule relates to street intersections only. It provides for rounding corners and enlarging the area of street intersections so as to facilitate the turning of traffic into the cross-streets.

Traffic congestion is generally greatest at intersections where the traffic on both streets crosses in the width of one. The capacity of streets is often reduced one-half, and sometimes even more at intersections. It is therefore of the greatest importance to arrange intersections so that traffic will have sufficient room to flow smoothly around corners.

To avoid traffic interferences as well as uneconomical and awkward property subdivisions, street intersections of less than 30° or more than 150° (the supplementary angle) are prohibited.

At right angle intersections the corners are turned with a radius of 20 feet. With sidewalks 10 feet or more in width, cars will have no difficulty in turning close to the curb. The street corner is set back 8.28 feet.

From 90° down to 30° the street corners are rounded with radii decreasing with the angle. The radius of the street corner decreases uniformly for each degree decrease in the angle of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120°
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CURB
12' R.
30°
24.5'
150°
60'
50°
14.7' R.
21.8'
140°
60'
60'
CURB
30' R.
95°
18' R.
75°
60'
60'
80°
18.7' R.
23.1'
145°
60'
CURB
20.4'
135°
60'

PLATE IV

Arrangement of Street Intersections

The arrangement of an intersection has an intimate relationship to the ease, speed and safety of traffic.

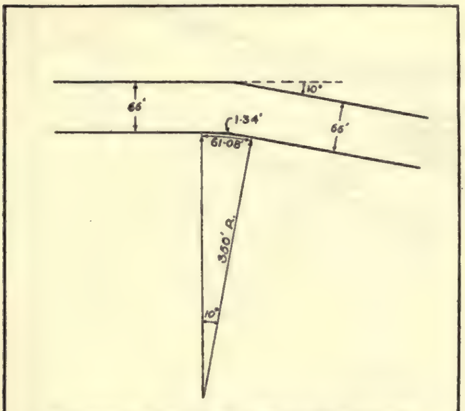
intersection until at 30° the radius becomes 12 feet. This allows a width of 24 feet at the corner, which is sufficient frontage for satisfactory development. At the same time the corner is pushed back 34.36 feet and thereby gives the necessary increased room for turning vehicles.

From 90° up to 150° the street corners are rounded with radii increasing with the angle. The setback from the corner increases uniformly for each degree increase in the angle of intersection until at 150° the radius becomes 693.95 feet and the setback 24.48 feet.

10. *Streets Deflecting within the Block*

Street lines within the block deflecting from each other at any one point more than 10° shall be connected by a curve, the radius of which for the inner street line shall be not less than 350 feet. The outer street line shall be parallel to such inner street line.

When, however, the street deflection within the block might at some future time, in the opinion of the planning commission, become a street intersection, then the deflecting street lines shall be widened on the inside as provided in the rule for "Enlargement of Street Intersections," while the outer street lines shall be defined by straight lines meeting at a common intersection.



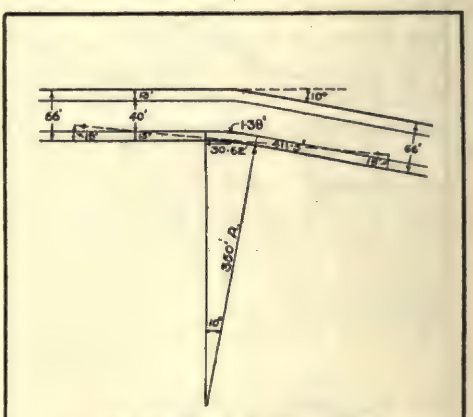
MAXIMUM DEFLECTION ANGLE PERMITTED AT ANY ONE POINT IN STREET LINE, (EXCEPT AT INTERSECTIONS). WHEN ANGLES ARE GREATER THAN THIS AMOUNT, INTERIOR STREET LINE IS ROUNDED WITH A RADIUS OF 350 FEET.

HERBERT S. SWAN, CITY PLANNER, NEW YORK CITY.

FIGURE 1

Streets should not turn so abruptly as to impede traffic, neither should they be a source of inconvenience or danger to motorists. Curves with a radius of 350 feet and more have proven satisfactory. When the street itself is free from obstruction to vision, even if it is curving around a hill or is built up to the street line, a radius of 350 feet on the interior side of the street will enable the driver of an automobile to see an obstruction near the curb about 207 feet ahead. This is a sufficient distance for a car to stop in when going 38.5 miles per hour. Two cars approaching each other have time to stop and avoid collision within this distance when going at a speed of 26.7 miles per hour. The car in the vehicle line next the curb can travel at 32 miles per hour without discomfort to passengers or danger of skidding.

Angles in streets are a considerable source of danger and obstruction to fast traffic. Where deflections in the street are limited to 16° the chauffeur can see 213 feet ahead, but the projection of the inside curb line interferes with the easy turning of the corner by machines near the curb. With a deflection of 10°, however, the change in direction is not so great as to cause discomfort in driving, and the vision is clear for a considerable distance ahead. The curb then projects but 1.4 feet beyond its position on a curve of 350 feet radius, and the car need swerve only 1.4 feet out of its course around such a curb (Figs. 1 and 2).



DEFLECTION IN STREET LINES
THE LINE OF SIGHT FOR VEHICLE NEAR CURB; DEFLECTION ANGLE OF STREET 10°, SIDEWALK WIDTH 13 FEET; ALSO PROJECTION OF CURB BEYOND LINES, DETERMINED BY 350' RADIUS

HERBERT S. SWAN, CITY PLANNER, NEW YORK CITY.

FIGURE 2

The street deflection may be so located with reference to adjoining unsubdivided property susceptible of being subdivided that the planning commission would wish to treat the deflection in such manner as to allow a future street to intersect in the deflection, or else it might be desirable to prolong the deflecting street in one or both directions. Therefore, the deflecting street lines should be laid out originally so as to cause the least disturbance to the street and lot lines possible. Consequently the interior street lines are widened according to the rule for "Enlargement of Street Intersections," as though an intersection existed, due to the entrance of a street at the exterior side. The original exterior straight street lines meeting at a common angle point are retained as the exterior side lines of the street (Fig. 3).

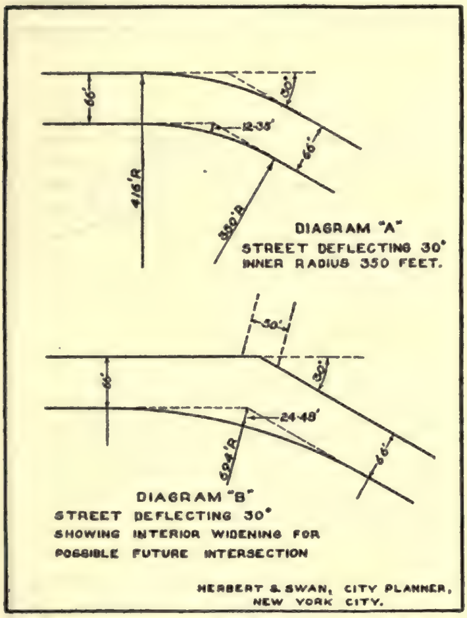


FIGURE 3

11. *Widening of Streets at Curves*

On major thoroughfares, the street shall be widened at curves, if required by the planning commission. The widening shall be wholly inside the inner street line.

Should the street lines deflect through an angle of 15° or more and turn more abruptly than by a curve of 1,000 feet radius, the street shall be widened in accordance with the following formula:

$E = 3WA\ (1000 - R) \div 1000R$ to the nearest foot

where E is the widening at the bisector of the central angle in feet;
W is the width of street in feet;
R is the radius in feet of inner street line, not less than 350 feet;
A is the central angle of the curve in degrees, but if more than 45° it shall be taken as 45° in the formula.

When the street deflects 30° or less the street shall be widened at the bisector of the central angle the given amount and connected into the side lines of the street by a circular arc tangent thereto. When the street deflects more than 30° the street shall be widened the amount given by the formula, on each side of the bisector of the central angle through an angle of one-half the total deflection angle less 15°. The widened portion of the inner street line shall be joined to the side line of the street at each end by circular curves to which these lines are tangent.

Motor cars cannot be kept as closely in position when rounding a curve as when moving on a straight line, nor can the path of neighboring machines be as accurately gauged and allowed for as on a straight roadway. The width occupied by a vehicle is, moreover, greater than on a straight right-of-way. All of these reasons make additional clearances necessary for safe operation around curves. This additional clearance becomes larger as the curved path diminishes in radius.

A car can travel around a curve having a radius of 1,000 feet at 52.8 miles per hour without discomfort or danger from centrifugal force. The curvature in this case is so gradual that at reasonable speeds no widening is necessary and is not required by the rule.

On the other hand, with a radius of 350 feet, the least radius permitted, a speed of 32 miles per hour around the curve is the greatest that can be used with comfort and safety. The curvature is so considerable that for deflections exceeding 15°, which corresponds to a length along the curve of 92 feet, a substantial widening is necessary to give the clearances demanded for satisfactory and safe operation of motor cars. The rule increases the width of the street by about one-quarter its normal amount on the inside of the curve when the radius is 350 feet and the deflection is 45° or greater. This widening is gradually reduced as the radius is increased to 1,000 feet. The outside line of the street following the rule laid down in the previous paragraph is not changed by the widening which is wholly on the inside. The change from normal width to the fully widened central portion of the curve is effected gradually by an arc of a circle which is tangent both to the straight portion of the street and the curve defining the inner side line of the street after widening. The alignment of both interior and exterior side lines of the street are therefore perfectly smooth and regular.

The formula for the street widening is derived from the following considerations.

The clearances required by motor vehicles in rounding curves and the necessary increase in the width of roadway carrying a given amount of traffic is evidently some function of the curvature, that is, $1/R$, which should become zero when the radius is 1,000 feet. To make the expression as simple as possible, we make the widening proportional to $1/R-1/1000$.

The necessity for street widening is not apparent when the curve is short and the road can be seen some distance ahead. The need for widening increases in importance as the deflection becomes greater. After traveling on the curve for a certain length, however, the motor car becomes adjusted to the curve and no further widening is necessary whatever its length may be. The widening should, therefore, be proportional to the deflection angle of the curve up to a certain amount. It is important to fix the correct amount of widening on the sharpest curve, that is, one of 350 feet radius. If the widening for such a curve is fixed satisfactorily, no difficulty will be encountered with curves of longer radii. On a curve of 350 feet radius up to an arc of 15° corresponding to a length along the curve of 92 feet, no widening is necessary (Fig. 4). When an arc of 45° is reached, corresponding to a curve length of 275 feet, the motor vehicle is adjusted to the curve and no further widening is required no matter how long the curve is.

A street 66 feet wide with 4 traffic lines should be widened about 17 feet on a curve of 350 feet radius, in order to enable traffic to move as freely and with the same clearance as on a straight line.

A formula for widening which will meet the requirement is $E=WAn\ (\frac{1}{R}-1/1000)$ where n is a constant to be determined. For a radius R of 350 feet, a street width W of 66 feet and a central angle A of 45°, we have found E the required street widening should equal 17. We have, therefore,

$17=66.45\ n\ (1/350-1/1000)$ and $n=3.08$.

The formula becomes $E\ 3.18\ WA\ (1/\mathrm{R}-1/1000)$ which we simplify for use as follows:

$$E=3WA\ (1000-R\div 1000\ R.$$

When the street reflects 15° the curve widening begins and from that angle up to and including 30° the street is widened the full amount only at the middle point of the curve. The interior side line is that arc of a circle tangent to the side lines of the street, which gives the proper amount of widening at the middle point; its radius is $\frac{R+E\ \mathrm{Cos}\ a}{1-\mathrm{Cos}\ a}$ (where a is half the deflection of the street). The street gradually widens beginning before the original curve is reached and continues to widen up to the middle point of the curve, after which it gradually contracts. The outer street line, not changed by the widening, is a circular curve tangent at its ends to the street, while the inner street line as widened is also a single circular curve tangent at its ends to the street line, but struck from a new center further away from the street (Fig. 5).

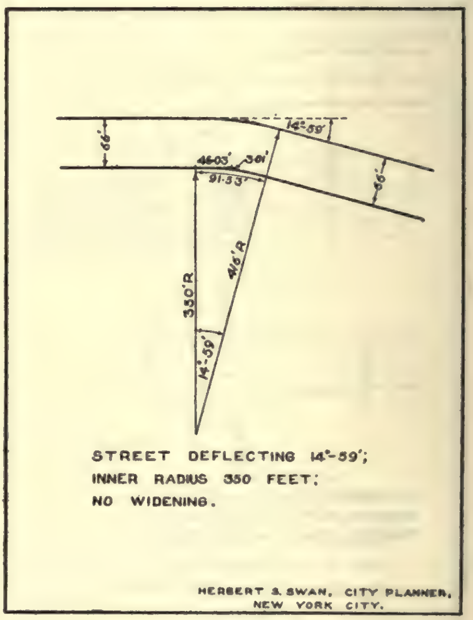
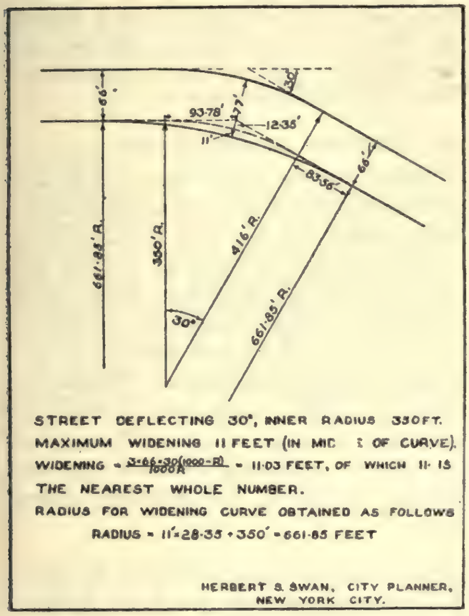


FIGURE 4


66'
93·78'
4·77'
12·35'
11'
30°
83·58'
66'
661·85' R.
350' R.
416' R.
661·85' R.
30°

STREET DEFLECTING 30°, INNER RADIUS 350FT.
MAXIMUM WIDENING 11 FEET (IN MIC : OF CURVE).
WIDENING = $\frac{3\times66\times30(1000-R)}{1000R}$ = 11·03 FEET, OF WHICH 11 IS THE NEAREST WHOLE NUMBER.
RADIUS FOR WIDENING CURVE OBTAINED AS FOLLOWS
RADIUS = 11'×28·35 + 350' = 661·85 FEET

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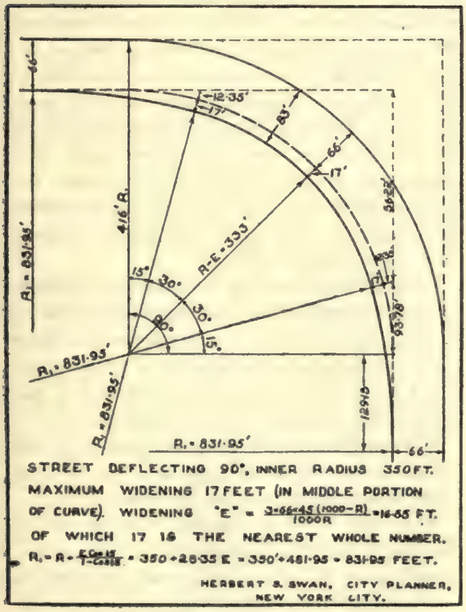
FIGURE 5

When streets deflect more than 30° the central portion of the curve is widened a constant amount. A gradual widening of the street commences as in the previous case before the curve is reached, continuing up to an angle of deflection of 15°, after which the widening is uniform to a point 15° from the end of the curve when the street width contracts in the same way as it expands on approach (Fig. 6).


66'
12·35'
17'
83'
66'
17'
416' R.
R-E-333'
29·26'
17'
93·78'
R₁ = 831·95'
15°
30°
30°
30°
15°
R₁ = 831·95'
R₁ = 831·95'
129·18
R₁ = 831·95'
66'

STREET DEFLECTING 90°, INNER RADIUS 350FT.
MAXIMUM WIDENING 17 FEET (IN MIDDLE PORTION OF CURVE). WIDENING "E" = $\frac{3\times66\times45(1000-R)}{1000R}$ = 16·65 FT. OF WHICH 17 IS THE NEAREST WHOLE NUMBER.
$R_1 = R + \frac{E\cos 15}{1-\cos 15} = 350 + 28{\cdot}35\,E = 350' + 481{\cdot}95 = 831{\cdot}95$ FEET.

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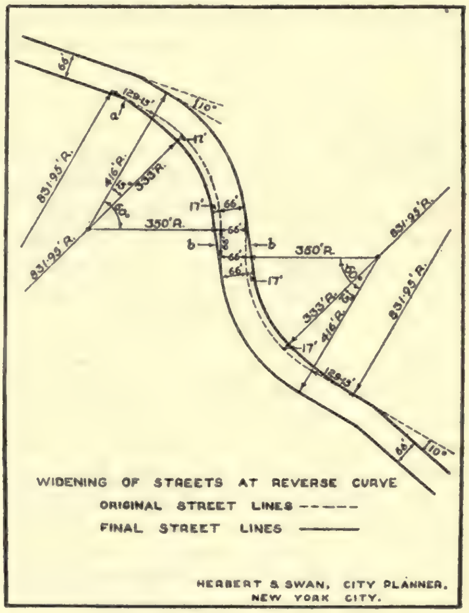
FIGURE 6

The radius of the inner street line of the widened central portion is $R-E$; and the radius of the end curves connecting to the street tangents is $R+\frac{E\cos 15^\circ}{1-\cos 15^\circ}$ or approximately $R+28.35\,E$.

The outer street line, not changed by the widening, is a single circular curve tangent at its ends to the street, while the inner street line is a compound circular curve made up of a central circular curve and two identical circular curves of larger radius connecting the street to the central curve. These end-curves or curves of adjustment are tangent both to the central curve and to the street lines at the ends of the curve. The end tangent points, however, are beyond the original curve so that the widening begins on the straight portion of the street before the original curve is reached.


66'
129·15'
110°
a'
17'
831·95' R.
416' R.
15°
333' R.
15°
17'
66'
350' R.
66'
831·95' R.
b
b
66'
350' R.
66'
17'
831·95' R.
15°
333' R.
416' R.
17'
831·95' R.
129·15'
66'
110°

WIDENING OF STREETS AT REVERSE CURVE
ORIGINAL STREET LINES ------
FINAL STREET LINES ———

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FIGURE 7

Should the end tangent of the inside line of the curve be too short for the adjustment curve to meet it an adjustment curve should be laid out to fit the prolongation of such end tangent but the arc of the adjustment curve as a street boundary line should terminate at its intersection with the side line of the street (Fig. 7).

Streets defined by two or more curves, whether curving in the same or in a reversed direction, immediately following each other or connected by lines too short to serve as tangents to the adjustment curves should be widened out according to the formula. When two or more curves turn in the same direction the inside curves after widening connected by a tangent common to both curves define the inside street line. When the curves defining the side lines of the street reverse in direction, the curves on each side of the street after widening according to the formula should be connected by a common tangent. The curves on each side of the street with their connecting tangents define the widened street lines (Fig. 7).

12. *Alleys*

Alleys or public rights-of-way may be laid in the rear of lots fronting on adjoining streets when the depth of such lots does not exceed 120 feet. The minimum width of alleys shall not be less than 16 feet. The maximum width of alleys shall not exceed 20 feet.

Without entering into a discussion of the merits or demerits of alleys, it is safe to say that where alleys are laid out, they should be laid out in a manner to make it certain that they will always remain alleys. Surely, alleys should not be permitted in the rear of lots that are 200 to 250 feet in depth; if alleys are so located, the lot will almost inevitably become a street upon which houses will front. Lots of this depth are in time very likely to prove uneconomical. With rising land values they are apt to be subdivided into two lots, the front half fronting upon the street and the rear half upon the alley. To safeguard against this condition, alleys should be limited to blocks in which the original lot depth is so shallow that it is practically certain that the lot will never be cut into two lots.

Alleys permit service to and from a house without encumbering its front. Pipes, poles and wires may be located in the alleys. This saves the streets from disfigurement. It also saves them from being torn up in making repairs to service mains.

Alleys should not be used as streets,—this is not their purpose. To prevent such use they should not be laid out when a street is needed, say, when the lot depth exceeds 120 feet, nor should they be of sufficient width for street use. Their width is therefore limited.

13. *Easements in Rear of Lots*

Where alleys in the rear of lots are not provided, an easement of a minimum width of 5 feet may be dedicated on the rear line of each lot for the use of public utilities, poles, pipes, and conduits, except where the planning commission deems such easements impracticable or undesirable. Wherever possible, these easements should be continuous to the streets at the end of the block to connect up with the adjoining blocks in the shortest direct line.

In most cities without alleys all of the public utilities are placed within the street. An easement located at the rear of lots would make it possible to get rid of the perpetual nuisance caused by the incessant tearing up of streets for public utility connections. To-day a new pavement is hardly laid down before the street is torn up for the installation of additional gas, sewer, water, or other public service connections to abutting premises. With a 10-foot easement through the center of the block, 5 feet on the rear of each lot, the community would be able to supply all public utilities through the back yards of houses. This would remove all telephone poles and electric wires from the street front. The appearance of streets would be enhanced; the life of street pavements would be almost doubled; and travel through the streets would be made both safer and pleasanter.

Poles of public utility corporations disfigure residential streets. They are frequently a blemish to an otherwise attractive community. They pre-empt the space that should be occupied by street trees. Where poles and trees are on the same street, the trees are sure to suffer.

The residents must have the service of the public utility companies, yet it is barbaric to plant telephone poles where trees should be.

The object of this easement is to provide in the rear of the lot a place for public utility poles, as well as a location for water, sewer and gas pipes where connections can be made and repairs effected without tearing up the street pavement.

To be of value the easement, of course, must be continuous through each block. It should also connect directly into similar easements in adjacent blocks.

14. *Grades*

Grades shall, so far as practicable, not exceed five per cent nor be less than one-half of one per cent, and shall not change more abruptly than by a vertical curve of 1,000 feet radius. A vertical curve of not less than this radius should connect all grades.

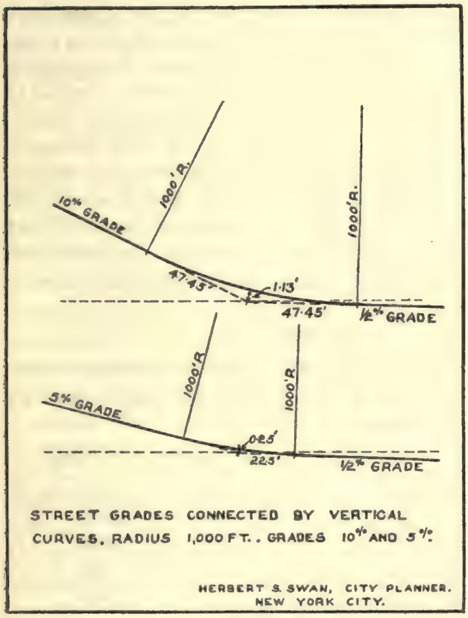
10% GRADE
1000'R.
1000'R.
47·45'
1·13'
47·45'
½% GRADE
5% GRADE
1000'R
1000'R
0.25'
22.5'
½% GRADE
STREET GRADES CONNECTED BY VERTICAL CURVES, RADIUS 1,000 FT., GRADES 10% AND 5%.
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FIGURE 8

Adequate provision for draining all streets must be made and incorporated in the plans.

The limitation of street grades to five per cent has been the standard practice for many years. The advent of the motor vehicle has not caused any change in desirable street grades. Nearly all motor vehicles can negotiate a five per cent grade in high gear when the grade is not too long. Heavy loads can also be transported over such grades without undue inconvenience.

Grades should not exceed five per cent on streets of considerable traffic value, except in rough country where economy of construction demands steeper inclination. The alignment of a street can, however, usually be so adjusted that a maximum grade of five per cent can be fitted to the ground without excessive cost of construction. In the case of residence streets of no present or prospective traffic value, a greater limit than five per cent may properly be permitted when necessary to avoid heavy cuts and fills, which in addition to their expense might disfigure the property. But here, too, a grade greater than five per cent is a disadvantage and can usually be avoided by fitting the alignment to the ground.

Proper drainage is an important consideration in the maintenance of a roadway. To remove the water that falls on a roadway promptly, the longitudinal grade should seldom be less than one-half of one per cent.

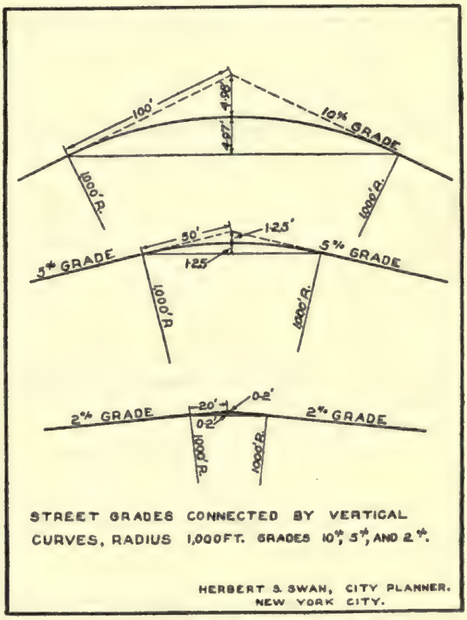
100'
4.98'
4.97'
10% GRADE
1000'R.
1000'R.
50'
1·25'
1·25
5% GRADE
5% GRADE
1000'R
1000'R.
2% GRADE
20'
0·2'
0·2'
2% GRADE
1000'R.
1000'R.
STREET GRADES CONNECTED BY VERTICAL CURVES, RADIUS 1,000 FT. GRADES 10%, 5%, AND 2%.
HERBERT S. SWAN, CITY PLANNER. NEW YORK CITY.

FIGURE 9

Grades should not change too abruptly. Sudden changes in grade cause discomfort to passengers when riding in the higher speeds. Vertical curves in street grades are vastly more important now than they were in the days of horse-drawn vehicles. This is due to the greater speed of motor cars. Formerly such curves were desirable mainly on account of the appearance of the streets.

With the automobile we are tending toward railroad conditions in our highway construction.

All railroads take great care to connect relatively slight grades by vertical curves of long radii, in order to secure smooth operation. Vertical curves are quite as necessary on our streets and highways to secure smooth motor car operation as they are on the railroads for smooth railroad operation.

A vertical curve of greater radius is needed more on a fast traffic street than on a slow traffic street. The radius employed on a speedway or on a street for fast moving vehicles should for equal riding comfort be greater than that on a street given over to slow moving traffic, since the shock due to an abrupt change of grade increases as the square of the speed. In no case, however, should the curve connecting grades have a radius of less than 1,000 feet (Figs. 8 and 9). Where grades are moderate and fast traffic considerable, a greater radius is desirable. Two thousand or even four thousand feet radii may properly be used in many cases. The above diagrams would then be applicable for the given grades by multiplying the linear dimensions by 2 in the former and by 4 in the latter case.

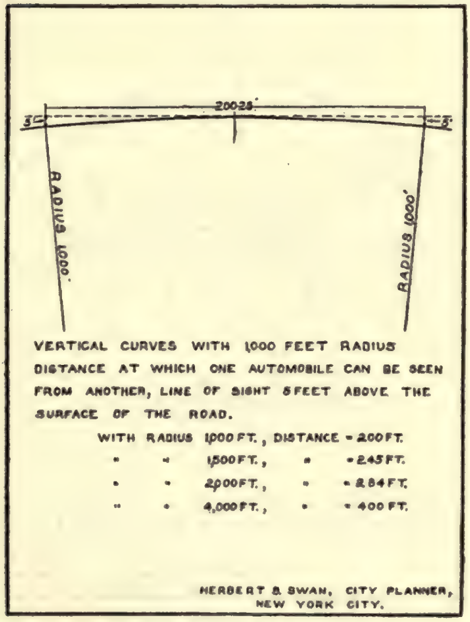
200.28'
5'
5'
RADIUS 1000'
RADIUS 1000'
VERTICAL CURVES WITH 1,000 FEET RADIUS
DISTANCE AT WHICH ONE AUTOMOBILE CAN BE SEEN FROM ANOTHER, LINE OF SIGHT 5 FEET ABOVE THE SURFACE OF THE ROAD.
WITH RADIUS 1,000 FT., DISTANCE = 200 FT.
" " 1,500 FT., " = 245 FT.
" " 2,000 FT., " = 284 FT.
" " 4,000 FT., " = 400 FT.
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FIGURE 10

There is a distinct relationship between the use of vertical curves in highway construction and the safety of highway operation. Abrupt changes in grade over hill tops create a distinct collision hazard in that they reduce the view of approaching traffic to a point short of the safe breaking distance of either car (Fig. 10).

Drivers of cars going over a hill can see each other at a point 5 feet above the street surface for different radii of curvature for the following distances:

Radius	*Distance Visible*
1,000 feet	200 feet
1,500 "	245 "
2,000 "	284 "
4,000 "	400 "

Drivers should be able to see approaching traffic and obstructions in their path for a distance of at least 200 feet ahead. No curvature over hill tops in excess of that due to a radius of 1,000 feet should, therefore, be tolerated. Traveling will be reasonably smooth when the grade does not change more rapidly than by a vertical curve of 1,000 feet radius. Such a curve will, moreover, as a rule, result in a line of vision at least equal to the safe breaking distance of two cars approaching one another at ordinary speeds.

15. *Size of Lots*

All lots shall in the respective zones possess a minimum width and area as follows:

	Width	*Area*
Zone A.	75 ft.	7,500 sq. ft.
" B.	50 "	5,000 " "
" C.	40 "	4,000 " "
Business.	25 "	2,500 " "
Industrial.	25 "	2,500 " "

The size of the lot is quite as germane to the public health, safety and general welfare of the community as the size of rooms or the size of courts and yards. Instances have been known where lots have been laid out as narrow as 12 and 13 feet. Of course, such lots are so small that they cannot be improved singly with sufficient open space about the building. Such lots place a premium upon the construction of long, narrow houses, obtaining their light and air solely from either end of the house, with a series of dark and unhealthy rooms in between. As the community is limited in prescribing adequate court and yard provisions by the prevailing size of lots, the only way to secure wholesome building conditions is to anticipate the building regulations by going back to the time when the lot is laid out, so that sufficient size will be assured the lot to admit of the erection of well-lighted and well-ventilated buildings surrounded with adequate yard space.

A minimum width and area of lot is established for each building zone into which the city is divided. The different kinds of buildings contemplated in the different zones necessitate different widths and areas of lots. The requirement for each zone is the least width and area of lot suitable for that zone.

This rule is necessary in order to make the zoning regulations of the city fully effective. New buildings of the character contemplated for a given zone cannot be put up unless the lots are laid out of a size appropriate for the desired buildings.

16. *Side Lines of Lots*

Side lines of lots, so far as practicable, shall be either at right angles or radial to street lines. Variations from this rule will be governed by the planning commission and will only be accepted where it would be practically impossible to do otherwise.

A quite common mistake made in the subdivision of lots, especially on radial streets, is to lay out the lot lines obliquely to the street line. Lot lines running obliquely to the street line mean either trapezoidal buildings or a saw-tooth building line in front of the buildings. Buildings are usually rectangular in shape. Any considerable departure from rectangularity in construction means increased expense, inferior and ill-shaped rooms and waste building space.

When the lot lines are not perpendicular to the street line, a uniform building line of the houses on the street becomes almost impossible. Each successive house on the street projects in a step-like fashion just a little further than its neighbor. A saw-tooth building line along a street involves a distinct decrease in the light, air, view and dignified appearance of all the buildings throughout the street.

In other words, every house is robbed of one-half its light, air, and view from the street. Needless to say, such saw-tooth building lines depress realty values along the entire length of a street. It also results in waste of land. Lots, the side lines of which are either at right angles or radial to the street line facilitate the erection of the most satisfactory and economical buildings at the same time that they encourage the most effective utilization of the land.

17. *Lot Depths*

The depths of lots shall generally be not less than 100 feet nor more than 150 feet.

A certain relationship exists, of course, between the width and the depth of a lot; if the lot is lacking in desirable width, the deficiency must be made up in an increased length; if the lot lacks appropriate length, this defect may in part be compensated through increasing its width. Yet for any particular type of development there is a very definite economic limitation upon both width and length. For all ordinary residential developments the economic lot length varies between 100 and 150 feet.

The deep lot gives rise to an entirely different kind of evil than that caused by the too narrow lot. A lot depth of from 150 to 200 feet frequently serves the purpose of the original subdivision, especially when the land is developed with expensive homes. But when land values rise and the land becomes too valuable for occupancy by expensive homes, there is an increasing pressure on the owners to utilize their large lot holdings more intensively. In such instances rear houses are frequently built. In other instances owners are inclined to utilize their rear land through the opening up of blind streets. In either event, the deep lot is accompanied with social consequences that are highly undesirable. It is of the utmost importance to the permanent well-being of the community that both the width and length of lots be controlled with reference to what is likely to develop in the light of changing conditions over a long period of time.

18. *Reserve Strips*

No subdivision showing reserve strips of land which will prove untaxable for special improvements will be approved, except when the control and disposal of the land comprising such strips are definitely placed within the town's jurisdiction subject to conditions approved by the planning commission.

Reserve strips have the same pernicious effect as failure to lay out streets to the property line. It enables the owner of the reserve strip to prevent streets or other improvements crossing this strip, no matter how badly they may be needed, unless the city steps in and uses its power of eminent domain to take the strip. Holding out reserve strips is usually practiced in order to retain some control which should be surrendered to the lot owners upon the sale of the property.

19. *Final Plans*

All final or record subdivision plans must be approved by the planning commission before filing with the county clerk. These plans shall contain complete data regarding the facts required in the following:

(a) *Scale.* All final or record subdivision plans shall be drawn upon tracing cloth in sheets 24 inches wide by 36 inches long and to a scale of 50 feet to an inch, except with the permission of the planning commission; provided that when more than one sheet is required, an index sheet 24 inches wide by 36 inches long shall be filed showing the entire subdivision on the one sheet with block and lot numbers.

Final plans are to be on sheets 24 inches by 36 inches. A scale of 50 feet to the inch is required. This scale will permit showing the street and lot arrangement in full detail. It is the scale usually adopted by towns and cities for tax maps. Final maps to this scale on tracing cloth enable cheap and satisfactory copies to be produced by mechanical processes. They also make suitable tax maps immediately available. An index with block and lot numbers is, of course, necessary in order that the entrie subdivision may be taken in at a glance and that the relationship of the streets and lots on different streets to the whole area may be more clearly comprehended.

(b) *Required Measurements.* The length of all straight lines, deflection angles, radii, arcs and central angles of all curves shall be given along the property line of each street. All dimensions along the lines of each lot with the angles of intersection which they make with each other shall also be given. Where it would be more convenient, bearings may be used instead of angles. Where a street is not continued straight across an intersecting street into the next block, the connection across such street shall be given by the proper measurements.

Data should be given on the map sufficient to locate the property, streets and subdivided lots from two monuments or known angle points. It is intended that this public record shall be in sufficient detail for the re-establishment of lines without recourse to the private notes of the surveyor who originally laid out the tract. The length of all lines and the dimensions of all angles and the radii and length of all curves both along streets and lots are therefore required. To enable a street to be fully located across intersecting streets as well as to tie one block to another, the street connections across an intersecting street are to be given wherever necessary for complete location.

(c) *Reference Points.* All dimensions, angles, bearings, etc., given on the map must be referred to at least two permanent monuments not less than 300 feet apart, which would be indicated on the map.

A survey without monuments or known points is of no value. One could not tell from the map where the property is. Monuments or their equivalent are therefore essential and the more substantial and permanent they are the better. From one monument a measurement can be made but it takes two monuments to define a direction. Two at least are necessary, together with the data listed in the above paragraph completely to locate the subdivision. Direction cannot be defined with precision unless the monuments are some distance apart. This distance should be not less than 300 feet for city work. In addition to the minimum number of monuments necessary to define the work, many more should be placed, preferably at block corners, angle points and points of curve, so that the lines can be readily found and the lots easily surveyed. With a considerable number of monuments the displacement or loss of one or two monuments will have no serious consequences.

as a doubtful or lost monument can be checked up or replaced from the others.

(d) *Adjoining Subdivisions.* The names of all adjoining subdivisions, the side lines of abutting lots and lot and block numbers or if not a subdivision the names of the property owners shall be given. Show also the map numbers as recorded in the county clerk's office.

Map numbers are necessary in order that the property may be readily identified in the records. The names of adjoining subdivisions and of property owners are also necessary in order that the maps and records concerning these subdivisions may be readily found. Side lines of lots, and lot and block numbers of abutting lots are needed to aid in maintaining regularity of the lot lines in adjoining subdivision.

(e) *Elevations.* The elevation of all streets at the center of each intersection and at each change of grade point must be given and located by distance from nearest street intersection. All elevations must be referred to some permanent bench mark, which must be described on the map. Where practicable, city datum is to be used.

The final maps should be a complete record on which all essential information as to grades as well as the lines of streets should be given. The rules have already provided for a complete description of the street lines; they now provide for an equally definite description of grades. This is done by giving the elevation referred to a known datum at each change of grade point in the street as well as its location referred to the street intersection.

(f) *Title and North Point.* All final or record subdivision plans shall bear a title which shall include the name of the subdivision. A north point shall be shown which may be magnetic or true north.

Subdivisions in some cities are commonly referred to by a name, which the title should bear as a matter of convenience and custom. The north point should be suitably indicated on all subdivision plans so that they can be properly oriented.

20. *Blue Prints*

A blue print on cloth of all final or record subdivision plans and index sheets shall be furnished the planning commission for its file. These prints shall be upon sheets 24 inches wide by 36 inches long.

It is necessary that the planning commission should have a complete set of record plans, which it has approved in its files for ready reference. Otherwise, the commission would be greatly handicapped in its work. These blue prints shall be on sheets 24 inches wide by 36 inches long, for the sake of uniformity. These prints can be readily reproduced from the record tracings at small expense and are facsimiles of the originals.

21. *Monuments*

Monuments shall be placed at all block corners, at angle points and the points of curve in streets and at such intermediate points as may be necessary. The location of all monuments shall be indicated on the final or record subdivision plan.

It is necessary to place monuments at corners, angles, etc., so that the correct lines of streets and properties can readily be found at any time without delay of undue expense for surveys.

Monuments should be shown on the maps not only to indicate to the searcher where a monument may be found and its relation to the street and property lines but also to indicate its authoritative character in defining the lines of the subdivision.

22. *Grading of Streets*

All streets shall, before the planning commission accords its final approval to the subdivision, be graded to their full width by the subdivider.

The proper time to grade a street is when it is first laid out. Where land is improved before the street is brought to a proper grade there is every temptation on the part of the builder to construct his house to the existing grade of the street.

The result is that the existing grade tends to become the permanent grade of the street, for, once houses are erected at a particular grade, the grade cannot be changed without damage to buildings.

Where a street is brought to grade upon the original subdivision of the land, every lot purchaser will, of course, erect his house to the street grade, thus bringing about the development of the lots in harmony with the development of the street. Owners will, under such circumstances, make due allowance for differences in the elevation of streets and lots, so that their lots will be properly drained and their houses built above the street grade.

There may be instances where it is impracticable to insist upon the grading of an entire tract at one time. Under such circumstances, the planning commission may divide the area into different units,—units within which it is desirable to grade streets immediately and units within which it is temporarily desirable to defer grading. Where such conditions prevail the planning commission would give its final approval only to the part of the subdivision actually graded. The subdivider would be limited to selling lots strictly to that part of the subdivision which had been approved by the planning commission. A plan would be developed for the entire tract, but the planning commission would approve only the graded part of the tract. The approval for the other part of the tract would be held in abeyance until the subdivider graded the streets.

23. *Public Utilities*

No street that has not been approved by the planning commission shall be accepted and maintained by the city, nor shall any public utility such as water, sewer, street light, or police be extended to or connected with a tract unless its subdivision has first been approved by the planning commission.

This provision serves notice upon all subdividers that they need expect no co-operation on the part of the community in its development, unless they, in the original subdivision, consider the permanent interests of the community.

Under these circumstances, it may be expected that owners will, as a matter of their own self-protection, prefer to lay out their land in accordance with, rather than contrary to, the wishes of the public authorities.

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LONDON'S METROPOLITAN GOVERNMENT

THE REPORT OF THE ROYAL COMMISSION

BY JOSEPH A. COHEN

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The problem which London faces is similar to that confronting metropolitan areas in the United States. Mr. Cohen, who is now in England, describes the work of the Royal Commission on the Government of London. :: :: :: :: :: :: :: ::

IN October, 1921, the Royal Commission on the Local Government of Greater London was appointed to "inquire and report what, if any, alterations are needed in the local government of the administrative County of London and the surrounding districts, with a view to securing greater efficiency and economy in the administration of local government services and to reducing any inequalities which may exist in the distribution of local burdens as between different parts of the whole area."[1]

The historical fact that led to the appointment of the Commission is that London has outgrown its administrative boundaries; that is, the County of London, which contains the nucleus of the London area, no longer contains all of "London." And although local government services have been centralized as much as it has been thought desirable in the hands of the London County Council, it is at present being asked, apart from the question as to the completeness or the incompleteness of the list of functions to which this measure of centralization applies, whether in view of present circumstances the limits of this region so consolidated should not be opened to correction. No important change in boundaries has been consummated since 1855. It is true that the present London County Council was not created until 1888, but the area adopted in that year as the subject of their jurisdiction was nothing other than the territory until then under the administration of the old Metropolitan Board of Works. And as a result of occurrences since, a municipal boundary that in 1855 passed through rural districts everywhere, to-day intersects highly urbanized settlements at all but one or two points.

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[1] *Report of Royal Commission on London Government*, Cmd. 1830 of 1923 (*Parliamentary Publications*), p. ix. This publication will hereafter be referred to as *Report*.

The County of London, as thus delimited, extends over 117 square miles and embraces nearly four and one-half millions of people. "Greater London," the term applied to the combination of the Metropolitan Police District, which consists of the County and territory beyond, and the City Police District, has an extent of 693 square miles and a population of nearly seven and one-half millions. More noteworthy are the census figures that trace the movement of which this is the result. The figures are:[1]

Population of Greater London

	1851	1901	1911	1921
Inner London (County of London)......	2,363,341	4,536,267	4,521,685	4,483,249
Outer London (that part of Greater London outside the County)............	317,394	2,045,135	2,729,673	2,992,919
Total............................	2,680,735	6,581,402	7,251,358	7,476,168

Thus, it is not only true that Outer London has grown up rapidly; it can also be observed that Inner London is full and its population declining. Further, this decrease, far from being confined to one or two portions of the County, obtains in areas that contain one-half of the County's population.[2]

For the government of this huge community, of which even the Metropolitan Police District cannot be said clearly to measure the full extent, the only metropolitan body administering general local government services that has been erected is the London County Council, exercising powers principally in regard to education, housing, main drainage, fire protection, public health, parks and open spaces, and public improvements, within the restricted area of the County; the balance of the services in the County are provided by the City Corporation and the 28 Metropolitan Borough Councils, which go to make up the other branch of the system of dual government that applies in London. Beyond the borders of the administrative County, the structure of local government to be found is the structure applying to all of England and Wales except London and comprising County Councils and County Borough Councils with a separate and independent jurisdiction; and Borough Councils, Urban District Councils, Rural District Councils, and Parish Councils, subordinate to a certain extent and in the exercise of certain powers to the County Councils of the administrative Counties of which they form a part. In conformity with this scheme, therefore, the following Councils exercise authority outside London County but within Greater London: 5 County Councils, 3 County Borough Councils, 8 Borough Councils, 64 Urban District Councils, 12 Rural District Councils, 47 Parish Councils.

In Greater London, then, there are 122 organs of general administration for local government services. In addition, there are the various Boards of Guardians administering the Poor Laws, and certain other special bodies established for specific purposes.

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[1] *Royal Commission on London Government, Minutes of Evidence*, Part I, p. 88; hereafter referred to as *Minutes of Evidence*.

[2] *Ibid.*, Part VI, p. 818.

Among these *ad hoc* areas are that of the Metropolitan Police District, dating from 1829 and covering 692 square miles, and that of the Metropolitan Water Board, dating from 1902 and covering 530 square miles,[1] both of which, besides adding to the intricacies of London jurisdictions, illustrate to what extent the true London area as regards the particular services to which they are related swallows the administrative County of 117 square miles. And the London and Home Counties Electricity District which the Electricity Commissioners for Great Britain are at present strenuously engaged in attempting to create envisages an area extending over 4,758 square miles and housing nine million people.[2]

From the situation as thus far portrayed, it can readily be seen that an inquiry into the degree of suitableness of the obtaining distribution of functions between the two sets of local authorities at present exercising the powers within the County of London would be merely subsidiary to the main purpose of the Royal Commission, which can be seen to be a judgment as to the need of altering the present status by way of establishing an organic relationship between the authorities within the county and those without. The bodies principally affected by any alteration would be the County Councils and the County Borough Councils; the structural position of the smaller local authorities in any new scheme of local administration would not, relatively, be much different.

The complex and decentralized state of affairs described not unnaturally encourages the thought that, in the absence of especially powerful reasons for maintaining the *status quo*, the organization of local government in the London area, of which the component parts are bound together not merely by geographical propinquity but also by all the commercial, social, and other ties by which the improved means of transport and communication of to-day make it possible for the members of a huge community to be bound, is not the best organization adapted to secure freedom from unnecessary multiplication of administrative bodies and officials, to produce uniformity of policy where uniformity is both desirable and feasible, and to unite the execution of local services over wide areas where such united action is possible with economy and efficiency. Therefore, as a result largely of the insistence of the London County Council, which was but the culmination of a series of suggestions beginning as far back as 1905 with the proposals of the Fabian Society,[3] the Royal Commission was appointed.

The Commission collected 1,056 pages of evidence from the local authorities and *ad hoc* bodies in the London area, and from associations, parties, and others interested in or concerned with London government. In March, 1923, the Commission issued 207 pages of reports.

As is suggested by the terms of the Royal Warrant reproduced above, the problems calling for inquiry may be said to be two: (1) the problem of administration, and (2) the problem of inequality in the distribution of local burdens.

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[1] *Minutes of Evidence*, Part I, p. 16.

[2] *Ibid.*, Part I, p. 22.

[3] *The Times* (London), March 29, 1923, p. 8, col. b.

I. THE CONDITIONS CALLING FOR THE INQUIRY

A. ADMINISTRATION

In presenting their evidence as to the problem of administration, the representatives of the London County Council attempted to prove the case for a rearrangement by arguing, first, that in a large number of instances the Council had already been constrained in the course of their work to override existing boundaries.[1] There have been negotiated by the Council with local authorities outside the County arrangements (some purely voluntary in character, others calling into play provisions of existing statutes) under the terms of which either the Council alone or the Council in conjunction with the other authorities are allowed to administer certain services outside the limits of the County. Such arrangements have been executed in respect to the functions indicated by the following titles: allotments and small holdings, fire protection, parks and open spaces, main drainage, treatment of venereal diseases, tramway services, and housing.

In the second place, the Council declared, there were certain departments of administration in the management of which they were encountering continuing and very considerable difficulties because of the present geographical limits attaching to their jurisdiction.

In regard to education, the adjustment of payments to be made by local authorities or parents for extra-London students enrolled in London institutions is proving troublesome, as also is the preference of London employers for youths coming from outside the County and therefore unaffected by the County Council regulations providing compulsory continuation schools.

The acquisition and development of large housing estates outside the County by the Council promotes inequality in the distribution of local burdens, because local authorities in whose areas land is selected by the Council for building to relieve the housing shortage in London have thereby imposed upon them the obligation of supplying for the benefit of the tenants of the new dwellings all the various local government services. The fact that leads local authorities to object severely to this practice as being highly discriminatory and that at the same time justifies them in so objecting is that the additional revenue gained to the local authorities by the increments to their assessable values resulting from the construction of these low priced houses is not sufficient to pay for the outlay necessitated. The local authorities find the provision of educational facilities to be the greatest burden. The Council further explained that the joint responsibility in regard to housing the present statutory provisions impose is not recognized in practice.

The situation in regard to electricity supply is especially chaotic, there being something like 85 separate electricity supply undertakings in the proposed London and Home Counties Electricity District. This feature, however, is meeting with separate treatment at the hands of the Electricity Commissioners and was therefore excluded from further consideration by the Royal Commission. But the Council did draw attention to the contribution afforded to the present delay in effecting final arrangements by the large number of regulating authorities at present existing.

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[1] The statements immediately following and other statements in this paper relating to the practical operation of London government are based upon information to be found in the *Report* and *Minutes of Evidence*.

As to wholesale markets, it was objected that, in view of the lack of a central authority, safeguards are insufficient to insure that the needs of the community as a whole shall be attended to.

In respect to transport, it was argued that the serious congestion of London traffic, the financial difficulties of the transport undertakings, and the inadequacy of passenger transport facilities may all be traced to the lack of a central traffic authority.

B. INEQUALITY IN THE DISTRIBUTION OF LOCAL BURDENS

The considerations aforementioned are not the only important ones, nor, some would say, the most important, strengthening the case for a reformation of London government.

The interests of the inhabitants of the expanded London area are much in common; the community is essentially a single one in spite of the boundaries dividing it. It is becoming increasingly true of increasing numbers of persons that Inner London is their workshop and Outer London their home. The new form of the census of 1921[1] contains statistics that prove this concentration of Londoners in the center during working hours and their dispersal through all of Greater London at other times.

But the separate governmental existence of the constituents of the London area produces in its wake a distribution of local burdens that operates unequally, the community of interests possessed by these constituents to the contrary notwithstanding. Thus in 1920–1921, rates within the County varied from 10 shillings in the pound *per annum* in the most fortunate borough to more than double that amount in the least; in the local government areas without the County, from less than 10 shillings to more than 25 shillings.[2]

The explanation of this state of affairs is that although local government expenditure in the London areas varies directly with population, rateable value does not. The population in the metropolitan region has tended in frequent instances to segregate, the rich in certain local government districts, the poor in others. As a consequence, there are great variations in the amounts of assessable values possessed by the separately acting Local Authorities for rating purposes, and therefore great variations in the amounts of rates levied to meet expenditure, which is in a large degree independent of assessable values.

The rates within the County are less irregular than those without, because something like 70 per cent of the expenditure from rates inside London is equalized. For not only is some equalization effected automatically by the existing centralization of services under the London County Council, which thereby becomes for the purposes of those services the common rating authority over all the County, but there have been in operation the Metropolitan Common Poor Fund, since 1867, and the Equalization Fund, since 1894, which have a similar, albeit less quantitative, effect. The principles governing the working of these funds are contribution according to capacity and apportionment according to need.

II. PROPOSALS LAID BEFORE THE COMMISSION

As a solution of the problem of administration, the London County Council suggested the erection of a directly elected Central Authority, to exercise jurisdiction over an area not smaller than the Metropolitan Police

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[1] Cf. *Report*, p. 52.

[2] *Report*, p. 83.

District nor larger than the London and Home Counties Electricity District, a reasonable margin for development to be included therein as well as all the continuously built up portion.

The constitution of this body as proposed does not differ from the generally accepted English standards. Interesting particulars are that some members of the Council stated themselves as opposed to the continuance of the practice of co-opting a group of aldermen and that no opposition was expressed to an experiment with proportional representation.

The type of government was to continue dual, and no important alterations were suggested in the constitution of the local authorities in the new scheme. In respect to their area, however, it was advocated that some of the local government divisions both within and without the County could profitably be united.

The contemplated distribution of functions between the local authorities and the central authority is summarized as follows:[1]

The London County Council Plan did not envisage a centralization of services so complete as to make unnecessary the continued utilization of some equalizing agency to affect the incidence of local burdens. They argued that the calculation of the measure of assistance granted the local authorities should be based upon the amount of local expenditure, the maximum contribution to be no more than a 50 per cent grant and the central authority to retain the privilege of disallowing any outlay judged by them to be unreasonable. The reasons for the two regulating provisions are obvious.

The proposals put forward by the witnesses succeeding the London County Council in the main took the following forms:

(1) Proposals for the special administration of transport, town planning, housing, and some urged the inclusion of main drainage in this list, by a special body exercising jurisdiction over a wide area. Opinion differed as to (a) whether this body should con-

Services Not Administered by the London County Council To Be Administered by the Central Authority		Services Administered by the London County Council To Be Administered by the Central Authority		
(a) Wholly	(b) Subject to delegation or assignment of powers to Local Authorities	(a) Wholly	(b) Subject to delegation or assignment of powers to Local Authorities on the lines prevailing between the London County Council and the Metropolitan Borough Councils	(c) Subject to delegation of powers to Local Authorities to an extent greater than under (b)
Water supply Wholesale markets Transport	Roads Poor Law	Fire protection Town planning (preparation of general plan)	Housing Drainage Parks and open spaces	Public health Education Building acts administration

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[1] *Report*, p. 17.

sist of a small number of appointed experts, (b) whether it should be a representative and indirectly elected joint committee, (c) whether it should have statutory powers of compulsion over the local authorities related to it.

(2) Proposals for a general central authority, either chosen from elected bodies or itself directly elected over a wide area. The types of authority suggested were substantially three: (a) a central authority with relatively few functions, local authorities to remain as they are at present, (b) a central authority with few functions, local authorities to be larger than they are at present, (c) a central authority with many functions, local authorities to remain as they are at present but to receive, as a compensatory measure, increased functions by way of delegation from the central authority.[1]

Differing schemes of equalization were also presented. The various methods suggested for apportioning a fund produced by a common rate were distribution to all local authorities up to the amount of the fair average cost of local government services ascertained for the whole area, payment in proportion to the extent to which the rateable value per head of population in any area falls below the average rateable value per head as ascertained over the area of the central authority as a whole, grants in conformity with the decisions of the Ministry of Health auditor, assistance not exceeding in amount a standard of expenditure appropriate to the requirements of each service provided by each local authority, apportionment of sums not exceeding 75 per cent of the whole cost of certain specified services and calculated on the basis of certain specified standards varying with each service.

(*To be concluded in the next issue.*)

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[1] Much interesting information relative to the estimates held by English Local Authorities of the various types of administrative agencies is imbedded in the *Minutes of Evidence.*

BANK AND CORPORATION TAXES IN MASSACHUSETTS

BY HENRY F. LONG

Commissioner of Corporations and Taxation of Massachusetts

Under the present federal statute (Sec. 5219) authorizing the states to tax national banks, the states are given three optional methods of bank taxation. Under the second of these options, which Massachusetts has chosen, a tax may be laid on the "net income" of national banks at the same rate assessed upon other financial corporations provided such rate shall not be higher than the highest of the rates assessed upon mercantile, manufacturing and business corporations. When this option is taken advantage of by a state the question is raised, how shall net income be defined and what rate is to be applied? The banks and the mercantile, manufacturing and business corporations must be treated alike so that there are many difficulties in the way of legislative and tax authorities. The following statement by the Massachusetts commissioner of corporations and taxation throws a great deal of light on the decision which was reached at the recent session of the Massachusetts General Court. :: :: :: :: :: :: :: ::

Massachusetts lays on foreign and domestic business corporations an excise measured by income and by corporate excess. For convenience Massachusetts allows the filing of a copy of the Federal income return to which income certain forms of income are added and from which certain forms of income are deducted. So much of the income of the corporation as can be fairly allocated to Massachusetts is taxed at 2½ per cent. The corporate excess is taxed at $5 on a thousand. The process being to find the value of all the shares constituting the capital stock, and deducting therefrom the real estate and machinery used in the conduct of the business and valued for taxation locally. These two measures combined constitute the excise tax which is laid alike upon foreign and domestic business corporations.

THE GENTLEMEN'S AGREEMENT

The national banks prior to the decision of the United States supreme court (256 U. S. 635) paid no direct tax other than on real estate, but paid on behalf of the shareholders a tax on the value of the shares at the local rate on the property tax basis. Beginning January 1, 1917, an individual income tax law was put into operation in Massachusetts. With this law in force and under the decision of the United States supreme court, it was clear that national banks were being taxed more than other moneyed capital, and as a result the legislature of 1923 settled all legal claims which the national banks had against the cities and towns who had exacted what appeared to be an illegal tax on their shareholders, and in addition enacted a law which was nothing more nor less than a "gentlemen's agreement." This provided that the national banks would pay to the commonwealth of Massachusetts twelve and one-half per cent on substantially the same net income as was returned to the federal government with additions and substractions. There was left, however, to them the choice of being taxed thus or the tax as formerly being laid upon their shares. Of course many of them holding real estate in large amounts which was deductible from the value of all the shares constituting the capital stock chose to be taxed locally because this resulted in a lesser tax.

The Massachusetts trust companies, being direct competitors with national banks, were given exactly this same election, so that we faced the session of 1925 with the national banks and trust companies operating under a "gentlemen's agreement" and not under an enforceable law, they electing to be taxed in the manner which would bring to them the lesser charge. It was recognized by all that the national banks could successfully resist paying any taxes whatsoever under this "gentlemen's agreement."

A special commission sat during the recess of 1924 and recommended a tax on national banks and trust companies at the same rate as was laid upon other financial corporations. This rate was estimated to be approximately five and one-half per cent, arrived at of course, by taking the total net income of these financial corporations and dividing it into the tax paid. The commission felt that this percentage was so small that in order to have a respectable tax from the national banks, there should be added to the net income as returned to the federal government the income that was derived from tax-exempt securities.

It was felt in the general court that this law would be unconstitutional if business corporations were not also obliged to pay on their income from what were before considered to be tax-exempt securities. The bill was reported without the provision for taxing tax-exempts. During the last days of the session so much uncertainty had arisen that the suggestion was made that a recess committee sit again in 1925 and give further consideration to this problem. This course was apparently not acceptable, and there were rumors that the national banks would refuse to go forward in 1925 on the "gentlemen's agreement." This of course would throw the finances of Massachusetts and its cities and towns into a great deal of confusion.

MUNICIPAL INCOMES INVOLVED

The entire proceeds of the tax from the national banks and trust companies as is represented by the ownership of shares held in Massachusetts, is distributed to the town or city where the stockholder has his legal residence. The problem was really one of the finances of the cities and towns and was a serious one. In order to prevent the matter going over for another year, and in order to get a larger tax from the national banks, it was suggested after a conference, which included the governor and legislative leaders, that the revenue to be obtained should be increased under the new law by including income from tax-exempt securities in the income upon which the foreign and domestic business corporations were to pay.

In 1921 and 1922, while the old law was in operation, the tax paid by the national banks for the shareholders was approximately $2,800,000, $2,000,000 of which went to the cities and towns and $800,000 going to the commonwealth treasury, as the owners of that proportion of the shares were not legal residents in any town or city in Massachusetts. In 1924 under the "gentlemen's agreement" the total national bank taxes paid had shrunk to approximately $600,000.

It was clear that if a permanent law was going to be put upon our statute books, the one proposed was the only one that could legally be enacted in accordance with the provisions of Sec. 5219 of the United States Revised Statutes, the congressional act enabling states to tax national banking associations. It was felt that the inclusion of the tax-exempt revenue in the national banks income would give a tax from that source of approximately $600,000, but to exclude it would reduce the return to about $400,000.

The cities and towns get five-sixths of the entire proceeds from the tax on foreign and domestic business corporations. It was thought that in order to make the national bank tax legal the inclusion of the income from tax-exempt securities in the income taxable to the business corporations would but slightly increase the amount to be received in this form of taxes, and would not be sufficient in amount to reflect much of an increase in the rate which was to be applied to the national banks.

PROPOSAL TO RAISE RATES ALL AROUND

The chairman of the House ways and means committee offered an amendment to the national bank tax bill which would increase the income tax measure of the excise from two and one-half per cent to three per cent. This of course would accomplish two things: First, it would increase the amount of tax paid by the business corporations, and because the national banks and trust companies were going to be taxed at the same rate as other financial or business corporations, the rate would be increased which was to be applied to the income of the national banks. In addition, because the corporations of Massachusetts show an average income of approximately $275,000,000 a year, the one-half of one per cent additional on their income being distributed in the proportion of five-sixths to the cities and towns would give back to the towns the little over $2,000,000 which they lost as a result of the national bank tax decision of the United States supreme court (256 U. S. 635).

A hearing was held on this proposal and the business corporations opposed it, largely on the ground that they had not had sufficient time to present their arguments against any such proposal although they probably were just as much opposed to an increase in the rate.

Prior to January 1, 1920, our foreign and domestic business corporations had been taxed on the value of their shares at the state rate which last year was $27.70 on a thousand. This was becoming too hard for them and as a result of a special recess committee of 1918 the 1919 general court passed a law operative January 1, 1920, which laid the excise on the "net income" of two and one-half per cent and on the corporate excess of five dollars a thousand, having the total take the place of the old tax at the average state rate. This has been advantageous to the corporations and to the commonwealth as well because there has been a steady increase in the revenue from this source. The corporations, however, did not look with favor upon a change in these rates as they were fearful that it would affect them in their competition with business in other states.

The case now stands that the law was passed taxing national banks and trust companies on their net income which shall include not only that returned to the Federal government but all income from whatever source derived, with the exception of dividends from shares of Massachusetts corporation and dividends in liquidation of capital, and with the same provision applying to foreign and domestic business corporations insofar as their net income is determinable. This law does not become operative until January 1, 1926, and before a rate is set the Commissioner of Corporations and Taxation must give a hearing to the banks, and an appeal from his decision as to the rate can be had to the Board of Appeal, a board set up by our statutes.

Of course the trust companies have gone along in the act with the national banks because the trust companies, being the creatures of the Commonwealth, should be treated as well as the national banks so as not to encourage them to take out national bank charters.

CINCINNATI'S COMPREHENSIVE CITY PLAN

BY GEORGE B. FORD

Vice President, Technical Advisory Corporation of New York

Cincinnati is the first city in the country to adopt officially a comprehensive city plan. :: :: :: :: :: :: :: ::

A COMPREHENSIVE plan for Cincinnati and vicinity, including everything that has to do with the physical development of the city has now been officially adopted and promulgated by the City Planning Commission of that city.

Both the city charter and the state city planning statute provide for the official adoption of a city plan, and when so officially adopted they give to the city plan a legal status and force which is much more than merely advisory. According to both of these, no departure can be made from the plan in the location, size and character of any public building or tract or in the location or layout of any public utility or public service feature or in the development of any means of circulation or of any street, unless the proposed departure be first submitted to the city planning commission and approved by it, or, in case of its disapproval, unless the proposed departure receive the approval of two-thirds of the full membership of the city council after a public hearing. According to the state law, if the planning commission disapproves of the departure, then, in addition to the approval of two-thirds of the council, the departure must also have the approval of the department head affected. This gives a double stability; because the director of public service, who, in most cases, will be the department head affected, is ex-officio a member of the city planning commission and interested in upholding the integrity of the plan.

The city planning commission consists of the mayor as chairman and the chairman of the park board as vice-chairman. The other five members are the director of public service, the other two members of the park board and two others appointed by the mayor, for terms of seven years each. Two of the members are prominent lawyers, three of them are large manufacturers and one of them is a doctor who was formerly mayor. They have all been active for many years in civic affairs.

Such authority in the city plan is the goal toward which cities have been striving all over the country. Nothing that Cincinnati or any other city has ever done, has the possibilities of meaning so much to the city of the future as the creation and putting into active effect of a comprehensive, thoroughly worked out plan for the future development of the city. It means now that the city can and should grow in an orderly way.

LOOKING AHEAD FIFTY YEARS

The plan in every part looks fifty years ahead, and every feature of it has been calculated to serve amply the probable city of fifty years hence.

Obviously it is not intended that the plan should be carried out immediately. On the contrary, its execution is spread over a period of fifty years, so that only the then most urgent matters will be undertaken during any five year period. In fact, a date of execution is fixed for every one of the many thousand items of the plan.

The program for executing the plan has been so worked out as to bring no unnecessary or unusual burden on the taxpayer, and so that the cost can be distributed fairly and evenly over a period of fifty years, with no more than a normal proportion of it payable in any one year.

Furthermore, a great deal of attention is devoted in the plan to methods of financing improvements which should reduce the portion of the cost that would normally be borne by the general taxpayer; for example, detailed studies are made for increasing the use of local benefit assessments, excess condemnation, building lines, control of building in mapped streets, annual reappraisal of property, etc.

The printed plan, which has just come off the press, is a document of about 125,000 words, with numerous maps, plans, charts, diagrams, tables and illustrations. All of the specific proposals of the plan stand out in bold face type, wherever they occur in the text. Most of the data and its analysis on which the plan is based, is presented in detail, so that the reader may see the process of reasoning by which the conclusions of the plan were reached. Every attempt has been made to make the plan convincing in itself.

LEGAL PHASES

Under the Ohio planning law, the plan extends throughout the metropolitan area tributary to Cincinnati, which includes roughly, the whole of Hamilton county and the nearby parts of several counties in Kentucky, across the river. Of course, an Ohio city planning commission has no jurisdiction in Kentucky. However, under the law, it can control the layout of subdivisions in Ohio within three miles of the city limits, provided the subdivision does not lie within any other incorporated area that has a city planning commission. The law also provides that before the city can exercise this control, it must prepare a Thoroughfare, Park and Public Open Ground Map for the city and for the area at least three miles outside, and it must finally adopt this map. Therefore, in practice, the city of Cincinnati now controls the distribution, location and layout of thoroughfares, parks, public reservations and open areas of all sorts for three miles outside the city, as well as within it, except in other incorporated municipalities.

In order to control these matters properly, it has been necessary for the city to go even further and actually to lay out and actually determine on the official map, such changes as should be made in railroad location and also new connections or belt lines between railroads and new traction lines, or extensions of existing ones, and even new or extended bus lines.

While the exact extra-mural power of the city has not been determined, and while it cannot force the county or an unincorporated town to carry out any specific public improvements, nevertheless it is assumed that within the three mile limit, the official Cincinnati plan governs, and that the county or any unincorporated town cannot depart from it, without the approval of the Cincinnati city planning commission.

ZONING

The city plan not only includes the above matters, but also comprehensive zoning, which went into effect April 1, 1924. Since that time, there have been about 9,000 applications for building permits, among which only about 250 have been refused for not complying with the zoning ordinance. About 200 of these applications have been appealed to the zoning board of appeals for relief. About two-thirds of these appeals have been granted by the zoning board of appeals, usually under such conditions as would safeguard the neighbors; and one-third have been denied. The board has been unanimous in every decision.

So far there have been no amendments to the text and only two minor amendments to the map. However, it is proposed to adopt a number of amendments to the text in the near future, principally to incorporate in the text of the Ordinance itself, the policies or rulings which the building commissioner has found, in practice, desirable to maintain.

Only two cases have gone to the courts and in both of these the courts have strongly upheld the zoning ordinance; in fact, in its recent decision on the Messer case in Cincinnati, the supreme court of Ohio stated categorically that comprehensive zoning of the Cincinnati type was a proper exercise of the police power.

The plan also includes a further detailed consideration of the areas within and without the city that are best suited to each of a number of typical kinds of housing, and it lays out typical subdivisions.

TRANSPORTATION

The whole railroad program is considered in great detail, and specific recommendations are made for rerouting through-freight around, instead of through, Cincinnati, and for the location of a union passenger station and yards.

Street car and bus extension is treated with a view to meeting future growth. A detailed scheme for the rerouting of traction lines and the handling of bus lines in the downtown district is worked out in conjunction with a complete new plan for traffic regulation in the congested parts of the city. The proposals of the plan in this regard have been accepted in principle by the traction company.

The development of the Ohio waterfront for commercial use and for recreation use, the creation of barge canals and development of river basins for industrial use, the reclamation of the waterfront during flood periods by means of dykes and levees, have all been considered in great detail in the plan.

All of these matters, in fact, every item of the plan is considered, not for or by itself, but always in relation to the rest of the plan.

Parks, playgrounds, schools, fire engine houses and other public properties and structures, even aviation fields, are developed in great detail in a series of chapters. For each a program of execution and development is a feature of the plan. The effect of parochial and private schools and the effect of private and commercial recreation has been considered in detail in every part of the city.

Civic and cultural centers and the improvement of the appearance of the city streets, and in fact the aspect and personality of the city in general, are dealt with throughout a series of chapters always as an integral part of the plan, not as an independent study. Even street fittings, fixtures, billboards, signs, wires and poles, news stands, hydrants, fire alarm boxes and lighting fixtures are discussed as a part of the plan.

The official plan is not the work of any one, or even two or three individuals. It is actually the work not only of all of the members of the City Planning Commission who have devoted a great deal of personal time to this proposition, but it is also the result of innumerable conferences with all of the city departments, public utilities and other groups affected by the Plan.

Furthermore, it is a citizens' plan. Over $125,000 have been raised by popular subscriptions, mostly through the Community Chest, by the United City Planning Committee. This citizens' committee, under the inspiring leadership of Alfred Bettman, is composed of representatives of some thirty civic organizations of Cincinnati. One and all, they have given their most active aid and support in the preparation of the plan.

The plan itself is a practicable plan, capable of execution in every part. It is not a dream, but something which can, and certainly should, be realized. It is made in the interest of every one, not for the favored few. It is a plan that the citizens generally can rally behind, as its execution is bound to make Cincinnati a much more convenient, delightful and effective place to live and work in.

MUNICIPAL PROGRESS UNDER MANAGER GOVERNMENT

II. DURHAM GETS MORE AND BETTER SERVICE

BY WYATT T. DIXON

Continuing our series of articles on physical betterments in manager cities. :: :: :: :: :: :: :: :: :: :: ::

"Durham renowned the world around" is the slogan which for many months was flashed through the darkness of night from one of the city's downtown buildings. The slogan was adopted many years ago. Since that time Durham has grown in ways other than manufacturing. The physical development is a source of wonder to the uninitiated. Old landmarks have, with but few exceptions, given way to the march of time with new and modern buildings being erected. Macadam and brick paved streets have given way to modern hard surface streets. Churches costing many hundreds of thousands of dollars have been and are still being erected. Modern systems for handling the various phases of city work have been installed and today the city is attracting the attention of the entire state, due, to a large degree, to the accomplishments during the past four years which were made through the council-managerial form of government which was voted in by the city in lieu of the old aldermanic form.

Durham came into nation-wide prominence recently through the gift of James B. Duke to Trinity College, now Duke University. Deeds have been transferred to the university for between five and six thousand acres of land which was purchased at a cost considerably in excess of a million dollars. Within a few years time this city will be the home of the largest university in all the southland and one of the largest in the United States.

Although the various events mentioned have had their part in the growth and prosperity of the city, they are but small, in a way, when compared to the progress experienced during the past four years under the council-manager form of government. That the people are pleased and satisfied with the present form was shown a year or two ago when they overwhelmingly defeated the efforts of a group of dissatisfied politicians to defeat the new form and bring the commission form into being. An election was held and the verdict rendered by the people was a decided one.

AREA INCREASED THREEFOLD—POPULATION DOUBLED

Many things have been accomplished during the time the city manager form of government has been in operation here. Through the action of the city fathers, under the present government, the city now has the most complete white way system to be found in the state of North Carolina and one of the best in the South. The entire business district is surrounded by artistic standards and lights, giving the maximum amount of light at a fair cost. Many miles of street have been paved, miles of sewer laid, a $2,000,000 water project is now underway, and many other things which will be touched upon later have been done.

A short time ago, through the will of the people voiced at the polls in a special election, the city limits were extended, making Durham a city of approximately thirteen square miles, whereas for many years it has been less than four square miles. Her population jumped from 22,000 to approximately 40,000. Through this act the problems and work of the city government have been greatly increased. On June 1 the new city began to receive all the city service that it is possible to extend to it. It could not be given it before because of the fact that the old budget would not permit it. The city's fiscal year begins June 1 and the new budget makes ample provision for the extension of the various services to the new sections.

One of the most pleasing accomplishments of the past four years is the street paving program. From June 1, 1921, to May 1, 1925, the total yards of street paving done in the four square miles of old Durham amounted to 252,598, costing the city $941,237.94. The work was paid for on the basis of two-thirds of the cost being borne by the property owners on the streets paved with the remaining third being paid for by the city. The city also paid for the paving of street intersections. This plan will probably be changed, however, when the street paving program is resumed.

During the time the present form of government has been in power sidewalk paving yardage totalled 41,878 square yards, costing $98,449.25.

BETTER SANITATION

The extension of the sewer lines into sections served by dry closets has been given much attention. Through the energetic program carried out many hundreds of dry closets have been eliminated in the old Durham, with the result that there are now only a comparatively few left. In the new sections, however, the city is facing a hard and serious task of extension of the sewer lines. During the past four years, to May 1, the sewer system has been extended 190,303 feet, costing the city $285,137.65.

Recently a new and modern fire station was completed at the cost of $52,000. The building is complete and modern in every way. A complete new fire alarm system, costing $25,000, has been installed, with 39 new boxes being added to the number already in use. Eight thousand feet of cable were laid in installing the system and 12 miles of wire were strung. The new system included a 12-circuit switchboard, a 10-circuit repeater and a tape machine for recording the numbers of alarms. Private telephone connections have been made between all of the fire stations. In the near future the city plans to erect one or two more fire stations.

A long felt need on the part of the city employees was realized during the present form of government through the remodeling of one of the local high school buildings into a modern municipal building. For the property and the work of renovating the building, the city paid $240,000. The building houses the city manager, engineering department, purchasing department, water department, city tax collector's office, city auditor and city clerk, building and plumbing inspector, city electrician and a workshop for the water department. Space in the building is rented at a nominal charge to the city school offices, to the Woman's club, Boy Scouts and to the machine gun company.

WATER PROJECT LOOKS AHEAD FIFTY YEARS

The big water development project now in progress is one of the most important accomplishments of the present form of government. In 1921, during the latter part of the summer and fall, Durham and vicinity was visited by an extremely dry season. The city faced an actual water shortage and drastic measures were taken to conserve the supply which was taken from the rapidly falling streams from which the city can get its water. The plant on Flat River was operated as was the emergency plant located on Eno River. The situation put the city authorities to thinking. Some step must of necessity be taken, they contended, to safeguard the city against a repetition of the drought. The big development now under way was the result. The project is being erected on Flat River. Its total cost, when completed, will approximate $2,000,000. The dam will be 78 feet high and 1,100 feet long at the top, impounding approximately 4,600,000,000 gallons of water. Work on the dam is now progressing in a favorable way, with a small army of men being employed in building it. The dam will cover an area of about 550 acres and will be sufficiently large to care for the needs of the city for 50 years, according to the opinion of the engineer in charge. Of the total amount involved, $500,000 will not be spent at present, but will be used in a few years in replacing the water lines for larger ones. The $1,500,000 will pay for the construction of the dam, the power house which will make electricity at seasons of the year for sale to the local public utility company at a good price, the acquisition of land and easements necessary to put the project through, the building of the transmission lines and the enlargement of the central station to take care of the probable demands up to 1940. The power house is to be equipped with three 725 horse power water wheels directly attached to 500 kw. generators. Two 300 horse power motor driven centrifugal pumps with a capacity of 7,200,000 gallons each and two water driven centrifugal pumps with like capacity.

Better fire protection has been given the residents of the city through the installation of 71 new fire hydrants in places where they were most needed. With the enlargement of the city, plans must now be made for the extension of the water lines into the new territory in order that fire protection, as well as city water supply for home consumption, might be given. The water department, which was responsible for the installation of the hydrants, has extended its services throughout the old sections of the city, 512 new meters being installed during the past four years with 588 services being given.

June 1 the city took over the garbage and rubbish collection of the new area, meaning that three times as much territory must be covered as before. In anticipation of the service trucks, wagons and other equipment have been purchased and two new incinerators are being erected. They will cost about $75,000.

COMPLAINT DEPARTMENT ESTABLISHED

With the advent of the new form of government was established a complaint department for the purpose of listening to any complaints by citizens regarding service rendered by the various departments. Through the work of this department many complaints have been handled and efforts made to rectify the mistakes alleged to have been made.

Contract has been awarded and work begun on the municipal theatre-auditorium which will cost when completed approximately $250,000. It will give to the people a modern theatre, whereas for the past two years they have had no theatre due to the sale of the old Academy of Music site, for the erection of a hotel. Under the ruling of the state supreme court, the new theatre cannot cost over $250,000, that amount representing the sale price of the old theatre.

Through the successful fight carried on by the city council, aided by citizens and civic organizations, an underpass is now being erected at the Chapel Hill street railroad crossing. For more than a quarter of a century the residents of Durham have been striving to secure relief from the dangerous situation presented by the crossing, which divided the city into two parts. All efforts and pleadings when presented to the railroads fell upon deaf ears. Their patience exhausted, and with the dangers constantly increasing with the continued growth of the city, a suit was instituted against the Southern, Seaboard Air Line and Norfolk & Western railroads, all of which have tracks which pass over this crossing, for the erection of the desired underpass. Winning its fight in the superior court of this county, the city was forced, by the appeal of the roads, to continue its fight through the North Carolina supreme court and also the United States supreme court, with each decision concurring in the decision of the superior court. The railroads are to bear all expenses attendant upon the erection of the structure, with the exception of the work of laying the underground structures and paving which will be done by the city. The underpass will cost thousands of dollars.

PLANNING AND ZONING

Work has begun looking to a better planned city. A careful survey of the enlarged city to map out plans for a city planning and zoning ordinance has been begun. The survey is to cost $12,000 and will require several months time. When completed and when the ordinance is placed into operation, the future growth of Durham will be safeguarded through proper zoning and planning.

Many other things have been accomplished for the city through the city manager form of government, including the adoption of an excellent accounting system which enables the city fathers, and the public at large to ascertain at any time the true status of the city's financial affairs, the creation of assessment districts for the widening and extension of streets, etc.

Much of the praise for the progress of the city and the lasting improvements which have been made during the past four years, is rightfully due to R. W. Rigsby, Durham's first and only city manager. Coming to Durham after the people had voted their choice of the managerial form of government, he took hold of the affairs of the city and through his excellent training and foresight the city has profited much. The accomplishments were not brought about through his work alone, for had it not been for the fact that he was backed by a city council, composed of eight of the city's best known and capable citizens, the results would not have been as far-reaching as they are. These city fathers, having the love of Durham at heart, worked hand in hand with the city manager for the good of the community as a whole.

OHIO BY-PASSES THE SMITH LAW

BY EMMETT L. BENNETT

Cleveland

Ohio is slowly working herself free from the iniquitous Smith one per cent law. :: :: :: :: :: :: :: :: ::

The Ohio general assembly of 1923 attempted, by means of the Taft act of that year, to repeal the Smith one per cent tax limit law which has vexed the state since 1911, as was recounted in the NATIONAL MUNICIPAL REVIEW of July, 1923. That attempt was frustrated by the defeat of the Taft act at a referendum in November, 1923.

The legislative situation in the general assembly of 1925 was in many respects like that of the previous session. The same Democratic governor had survived the Coolidge landslide, and again found the Republicans holding seats enough in the assembly to override vetoes without difficulty. He again pronounced in his inaugural address in favor of home rule in taxation, details not specified.

The municipalities of Ohio, which contend with the school districts as to which were affected most disastrously by the Smith law, held conferences in Columbus in October, December, and January, at which the principal item of business was the formulation of a program of tax relief. Honorable Robert A. Taft, who was again to be the guiding force on taxation within the assembly, addressed the conference, presenting a series of proposals touching the same subjects. As it turned out, the two programs coalesced in the features then discussed, and now set forth in this article.

This program did not, as two years before, take the form of a repeal of the Smith law and its replacement. The Smith law is still on the books. The new laws omit some items treated two years ago, and include some matters not thought of the session before. Mr. Taft's name is attached to none of the recently enacted laws, he having been chosen floor leader by the Republicans, and so refraining from the introduction of any bills.

Early in the session there was an attempt to include the Governor in the promotion of the group of "program" tax bills. After the emergency relief bill was passed, however, he gave out an interview condemning certain features of some of the bills, and the *entente cordiale* that had seemed to be possible shrivelled away.

EMERGENCY RELIEF

A great many small school districts and municipalities, and a few larger ones, got so small a return from the 1924 tax levy that there was no possible means of operating through 1925 without new revenues. No one wished a repetition of deficiency borrowing. The alternative was to authorize an additional levy upon the 1924 valuation, to be imposed at the time of collection the second half of the regular levy. There were some who were reluctant to authorize the councils or school boards to make such a levy upon their own responsibility. To require a special election for the purpose would be expensive and not entirely satisfactory. The matter was solved by providing for a majority petition as the basis for such a levy. The bill was so passed and signed, becoming a law as an emergency measure.

DEBT CHARGES

One of the most pernicious features of the old Smith law was its inclusion of taxes for debt within the same limit as operation levies, so that the issuance of additional bonds meant not an additional tax burden, but a diminution of operating revenues. This situation will no longer prevail as to debts incurred by popular vote. The Krueger bill provides instead that the voter by the same mark votes for a levy outside limitations when he votes to issue bonds. As to charges for debt incurred without the vote of the people, the same bill attempts to diminish the seriousness of the invasion of operating revenues by such charges by reducing the amount of such debt which cities may incur from two and one-half per cent to one per cent of the assessed valuation. In the Dodd bill, discussed hereinafter, provision is made for subsequent submission to popular vote, in the case of such debt charges, of the question of placing them outside the tax limitations. Both Krueger and Dodd bills became law without either veto or signature by the Governor.

PUTTING ELASTICITY INTO THE LIMITS

The Dodd bill, to all effects and purposes, set the barrier which had heretofore stood at ten mills forward to fifteen, by providing that cities may levy as much as three and one-half mills between those limits without vote, as had previously been necessary. The same bill extended to all local taxing authorities the privilege of submitting to vote the question of additional levies outside of all tax limits. These additional levies may not run for more than five years without re-authorization, except for debt charges. But they may be submitted in any amount. Such a levy may be submitted for general operating purposes, as a relief measure. A very promising feature is that such levies may be voted for improvement purposes. This may be the means by which school districts will be able to restore their building programs to a pay-as-you-go basis, and cities their street improvements. The Governor, permitting the bill to become law without his signature, complained that it did not require a majority of all voting at the election to carry the levies proposed.

MINIMUM LEVY FOR MUNICIPAL OPERATION

Under the old law the schools had certain guaranteed minimum levies. The county has control of the commission which distributes the available remainder. The same Dodd bill includes a guarantee of a minimum operation levy of four mills for municipalities, subject only to the priority of school minimum levies and of debt charges. This minimum may seem absurdly small. Cincinnati and some other large cities have had less.

REAPPRAISAL

Notwithstanding the constitutional rule that all property shall be assessed at its true value, more than half of the counties have had no reappraisal of real estate for from ten to fifteen years. Two years ago a law was passed, and failed, requiring reappraisals. Again such a law is passed, requiring sextennial reappraisals. It was vetoed and passed again.

HOME RULE ON SUFFERANCE

The most fundamental item on the program was the Tallentire bill. It was not the most immediate. And it was accepted with considerable reluctance by a group in the assembly who still cling to their faith in the Smith law. The bill applies only to cities and villages which have or adopt home rule charters. Such municipalities may, by virtue of writing a budget system and a limitation or limitations into their charters, be exempted from all the Smith law limitations and their attendant complications. One old section applying a ten mill maximum for municipal operating levies remains, but its limit is so high as to mean nothing. It is older than the Smith law, dating to an era when assessments were upon a much lower basis than today, and was left to satisfy a possible requirement of an antique section of the constitution.

The Governor vetoed the bill, alleging that it would be possible to amend a charter at a special election, and that it would promote waste by city hall rings. It would appear that the argument works both ways, since an amendment can be initiated at any time to reduce a limit which is unduly high. The veto was not permitted to stand.

This bill is by far the most promising move in Ohio's recent tax legislation. But it by no means cures the grave defect in the home rule provisions of the constitution. A city can have no assurance, once having complied with the act, that a succeeding general assembly will not repeal the act and reimpose limits written at Columbus. The likelihood of such a reversion, however, should diminish with time, and if the Tallentire bill survives a few years, it will justify an attempt to write its provisions into the constitution.

PUBLIC AND PRIVATE PROVISION FOR SOCIAL SERVICE IN NEW YORK CITY

BY LeROY E. BOWMAN

Columbia University, Chairman Community Division, National Conference of Social Work

Another article in our series on division of responsibility for public welfare between public and private agencies. :: :: :: ::

There can be no escape from the ultimate responsibility for social welfare in any city; it rests on the whole body of the citizens and the problem of whose responsibility resolves itself largely into the question of what group or organization representing the whole city is the most practicable and able body to carry the main directing burdens. The chief factors in the decisions seem to be: first, the distribution of wealth, since obviously those with most to spare can and should, and usually want to, give most. Secondly there is the question of the incidence or "spread" of responsibility; the more people there are giving the more fair and equitable will be the distribution of cost. The tax system is the form in which the political organization has worked out present day conceptions of distribution of the cost of social burdens. Hence it is the public agency that is looked to for the responsibilities in social service that are recognized by all as necessary and defensible.

In the third place there is the factor of expert knowledge and the constant discovery of newer and better ways of taking care of the city's unfortunate and inadequate. Those who have the greatest interest, the longest experience and the most detailed knowledge are in the nature of things always the few, the vanguard, and cannot expect to have their ideas followed by the mass of people and the public until time and demonstration have proved their validity to the general population. As a result in social service as in other matters, there is a distinct place for both public and private administration.

HOW MUCH SHOULD BE SPENT?

For the dependent and unfortunate alone there is spent each year in New York city something over $65,000,000. This figure does not take into account provision for health, education and recreation for the normal and self-sufficient families, for whom social service is also becoming a matter of vast proportions. To what extent public and private agencies shall go in the effort to give each person full opportunity for complete expression is a question that is not to be settled quickly, even by the wisest and most experienced social worker. William Jennings Bryan walked unannounced on the sixteenth of May, 1925, into the morning sessions of the Conference on Child Welfare at the Hotel Biltmore and told the delegates from all over the United States that "a child is entitled to everything the world can give it." Three days later, Lawson Purdy, director of the Charity Organization Society of New York city and president of the annual New York City Conference of Charities and Corrections, warned the members of the conference that too great public expenditures for unfortunates and dependents has under certain conditions a tendency to sap the strength of character of the recipients and prepare them for a life of dependency. His attitude toward the amount of money spent for charitable services is shown in these words:

> The ideal way to help people financially is to extend that help as nearly as possible in the way it would be extended by a wise and kindly neighbor who had the financial ability. It may be exceedingly difficult for any public authority to approximate the attitude of the kindly neighbor, but we should not delude ourselves by measuring the value of the service rendered by the amount of money spent. Sometimes the value of service rendered is inversely in proportion to the amount of money spent. There has been a tendency of late to avoid the use of the word "charity" in connection with public expenditures. Let us be careful that we do not make our service less charitable when we drop the word. Charity sums all the virtues of service.

As the city becomes more and more conscious of the needs of its unfortunates; as progress is made in the art of bringing up children; as we realize more and more the requisites of a full life, we become aware of the need for greater provision of the kinds under discussion. Greater amounts of social service are then in a sense but indices of the degree to which men and women are living normal and complete lives. There are values in individual and social existence that are to be gauged only in terms of themselves and like values. Money sufficient to provide for personal and group life on a normal adequate basis must be provided before we can boast of city or national civilization. Too much paternalism, too great beneficence, is as destructive of the values of independence, self-control and co-operation as is niggardliness and neglect.

The question of how much should be spent will never be answered, or rather the answer will always be changing to accord with the changing views as to what is adequate living, how far society is responsible for the individual, to what extent "natural social processes" should be allowed to play, etc.

WHO SHOULD PROVIDE?

There have been and are three main channels for bestowing social welfare: first of course, the private, secondly, volunteer co-operative, and third, government provision. In the first type a few persons, or even one benefactor, give the help that they think is needed. Practically all of the private social agencies are of this kind; they combine usually generosity, ability to bear the financial burdens of welfare aid and appreciation of the values of expert administration. The methods worked out by private agencies sometimes are adopted, in part at least, by co-operating individuals in a neighborhood or a society and a very real social service rendered to the members by the group itself. There are literally hundreds of fraternal, nationality, "town" (composed of immigrants from some one town of Europe), labor, and other groups, which are providing life insurance, burial, sickness, unemployment and other benefits for their members. The greatest degree of this co-operative, non-commercial insurance is to be found among the immigrants who bring with them a more highly developed co-operative tradition than they find in America, although the technique of their procedure appears sometimes inadequate. Lastly, public provision has been made for the needy from the time of the earliest town meetings.

There are general bases of division of responsibility between public and private agencies that are fairly well agreed upon. One of the leading settlement workers, Mrs. V. G. Simkhovitch, has summarized them as follows:

No scientific allocation of functions has so much as been attempted as yet in the field of social work. In general, public provision should be made for those needs which are widespread. Certain costs in connection with these centers should be borne by the tax payers, and certain by the users of facilities. The privately conducted work should be principally a demonstration of what could be done by public agencies, and there is also a growing place for co-operative effort. Undoubtedly, matters relating to public health are receiving better attention than those relating to recreation. It is rightly felt that recreation is, on the whole, a matter to be determined by individual and social choice, while public health, like public education, is an obvious necessity for all citizens in a democracy.

"The private agency sees something that it thinks ought to be done, proceeds to do it, makes it a reasonable success, finds it very expensive, shoves it over on the city"—that is the process as one social service director sees it, and he goes on to say that it is often a practical matter as to what particular service is assumed by the official and what by the private agency. In the matter of health, for example, there has been a great development in the past sixty years. Private charities have done more and more health work and the city has steadily taken over more. Today it would be difficult to establish a rigid principle that would divide kinds or amounts of work between public and private health agencies. Certainly we are in need of all the work that is being done, and the view, the stimulation, the interpretation to the public of both the official and non-official worker is essential.

An excellent general statement on this phase of the question has been made by Bailey B. Burritt, general director of the Association for Improving the Condition of the Poor:

> It seems to me that in general older, tried and demonstrated welfare work is the field in which governmental or official agencies have tended to develop their work and that the function of voluntary organizations has been continuously to shape up, experiment with, and sometimes operate over a period of years an activity which subsequently may become a part of the regular official and governmental work. This is one of the most fundamental deciding factors in the allocation of social functions in one or the other of these groups, although it does not account for many individual activities which may now be found in one or the other of these groups that is not easily accounted for on this general principle. At the present time, through the great advance that has been made in medical knowledge, the most conspicuous trend in all social work is emphasis upon health and the prevention of sickness and disease. All kinds of organizations, both public and private, are emphasizing this aspect of their work and largely because the vista of possibilities through advancing science has been so great that it has stimulated all agencies, irrespective of whether they are supported from public or private funds. In this field, there is continuous apparent effort, however, to ascertain how far it may be safe and wise to place the responsibility for health activities upon public authorities. In so far as public authorities have demonstrated their ability to maintain a health organization separated from the cruder aspects of politics, there is shown a desire on the part of all health workers, whether identified with public or private organizations, to transfer these activities more and more to public authorities. It is becoming increasingly clear, however, to all, I think, that progress in this direction is necessarily slow, accompanied by many temporary set-backs, and that meantime much experimenting and operation of actual activities must be carried on by voluntary agencies as supplementary to those that the health department and official authorities of the community have demonstrated their capacity to operate well.

There are legal and traditional determinants that ought to be merely mentioned, such as the general poor law policy of the state which has held the public authorities ultimately responsible for relief but has laid down important qualifications. The state does not allow the city to operate institutions for children, but directs it to send them either to institutions of their own religious faith, or to place them in families of such faith. The state has forbade the city to give outdoor relief, except in the form of widows' pension, largely because of distrust of the ability of the municipality to administer such relief without political bias.

CO-OPERATION BETWEEN PUBLIC AND PRIVATE AGENCIES

Careful thinking has been applied to the relations between public and private agencies in the field of family social work, by Mary Richmond, David Adie, and lately by Miss Gertrude Vaile, chairman of the Committee on Division of Work Between Public and Private Agencies Dealing with Families in Their Homes of the American Association for Organizing Family Social Work. The tentative preliminary report of that committee submits these conclusions, summarily and inadequately quoted here:

> 1. That ordinarily both public and private agencies for family social work are needed and that they should be entirely distinct and independent of each other with good team work between them. Either alone is unable to bear the full burden of need and insure progress.
>
> a. The public agency alone is unstable and inclined to deteriorate.
>
> b. The private agency alone cannot ordinarily limit its intake and do the intensive experimental work which is a very important contribution which only the private society can make.
>
> 2. With the two agencies working separately, division of work must depend upon the quality of work possible in each.
>
> 3. That the private society should take cases that primarily involve personality problems calling for especially intensive work, which may or may not extend over a long period; and cases involving experimental treatment.
>
> First applications of young, normally constituted families should go to the private society in the hope that timely and intensive case work may prevent demoralization and establish sound principles of family life.
>
> Cases potentially involving the need of social control such as cases of mental trouble or of marital trouble, may well be the subject of careful conference between the two agencies as to which is in the best position to handle such cases.

AMOUNTS SPENT ON SOCIAL WORK

For the purpose of showing how the money of the New York city taxpayers is being expended, Controller Charles L. Craig has recently prepared an analysis classifying the several activities of the city government into nine general groups and showing the appropriations made for each group and its percentage of the total amount of city appropriations computed. A summary of the analysis follows:

	Sums Spent	Per Cent of Total
Police protection, punishment of crime, maintenance of order, etc.	$50,464,771	13.916
Administration of civil justice	10,890,594	3.003
Dependents and unfortunates	26,369,697	7.272
Health conservation	51,678,351	14.251
Fire protection	25,363,071	6.99
Education and recreation	112,317,947	30.973
Commerce and transportation	57,885,587	15.963
Mayoralty, city government, etc.	27,057,989	7.462
Public markets	602,030	1.660

The New York *Times*, commenting editorially on the above analysis, and comparing it with the analyses made of federal expenditures, drew attention to the fact that the city renders more services that are immediately appreciable than the national government with its large percentages for public debt, army and navy, veteran rehabilitation, etc. The city is closer to the citizen and therefore renders the intimate service. To quote from the editorial:

> If the municipality spends 80 per cent of its taxes on constructive service and the federal government spends only 20 per cent, the reason is found in the division of functions as between local and federal government. Washington spends comparatively little on education because that has been virtually left to the municipalities and states. The cities spend little on army and navy and past wars because that has been left to the nation. As one moves up from municipality to state the proportion of taxes that goes into concrete service diminishes, but is still an impressive total. During the ten years from 1912 to 1922 the state of New York employed 56 per cent of its expenditures constructively. These fields of expenditure comprise education, agriculture, charities and two somewhat mysterious categories described as "curative," which would mean health and hospitals, and "constructive," which would mean presumably highways and the like.

An interesting comparison with this report of public expenditures can be made with a recent study made by the Bureau of Advice and Information of the Charity Organization Society, preliminary accounts of which only have appeared.

The financial reports for the year 1923 of the 414 social service agencies in Manhattan, Brooklyn and the Bronx furnished data upon which the study of the bureau was based. Only local organizations were asked to submit information, and the number includes all of the larger as well as most of the smaller organized charities.

National societies with New York headquarters were not studied and no attempt was made to list fraternal groups or clubs that are primarily social but which have a charity committee to look after the welfare of their own memberships or dispense general relief at festival times. Churches and other institutions whose aim is distinctly religious were omitted. For the purposes of the study the 414 organizations were classified under the headings of child welfare, family welfare and relief, health and medical care, recreation, probation and protective work, general welfare and care of the handicapped and aged. As the classification indicates, New York offers social care beginning just before the cradle and ending just this side of the grave.

Child welfare comes first in the number of agencies represented, but the greatest expenditures were for health work. Health work, preventive and curative, cost the private agencies $19,000,000. Of this, $18,000,000 was for hospital work and $1,000,000 was spent for other health activities. Other large items are approximately $4,000,000 for child welfare, $3,000,000 for family welfare and relief, and $5,000,000 for recreational and settlement work. Although the total expenditures of the 414 private agencies were $38,814,485.67, only a little more than $13,000,000 was received as donations from voluntary contributions throughout the year, which means that the average yearly per capita gift to charity in the three boroughs was about $1.67. The remaining millions came from interest on investments, fees paid by clients (as, for instance, in hospitals) and appropriations from city departments for the care of public charges. Unusual emergencies and seasonal festivities like Christmas and Thanks-giving, the survey shows, win a ready response from the contributing public, but the steady year-round program working for an improvement in social conditions affecting every resident of the city often goes limping along on an inadequate budget.

Of the budgets of all the agencies studied, 51 per cent was secured through earnings, and only 26 per cent through contributions, a fact that would change a popular misconception at least in part. Public funds provide 7 per cent of the moneys used by private agencies in their work and 14 per cent comes from interest in invested funds. The per cent of the total funds secured through earnings varies greatly from 72 per cent for recreational and educational activities and 64 per cent for hospitals to 7 per cent for protective care and family welfare; likewise the proportion of the sums spent that is derived from donations varies with types of work from 70 per cent for family welfare and 62 per cent for general health to 23 per cent for recreation and education and 17 per cent for hospitals.

It can be seen from the foregoing figures of the controller that the city spends for dependents and unfortunates $26,369,697, and for health conservation $51,678,351. How much of the health conservation item should be included in social service depends on one's point of view and attitude toward the city's bookkeeping. A method somewhat more satisfactory for purposes of comparison would be to lump the city's budget items for public welfare department, board of child welfare, payments to charitable institutions, tenement house department, and commitment of the insane, together with county welfare expenditures and the health department budget giving a total of $60,056,356.31. To this must be added the items in the board of education budget relating to recreation centers, vacation playgrounds, baths, after school athletics, lecturers' fees, school gardens, vacation schools, vacation playgrounds, summer school institutional classes (totaling for 1925, $1,025,140.43), making something over $61,000,000. There are baths and gymnasia provided in the departments of the borough presidents but it is impossible to make any estimate of the proportionate amounts of the total budgets for these items from the material at hand. This combination of items then (and there are many different combinations possible according to viewpoint of the person manipulating the figures) would oppose sixty-one millions of public funds to thirty-nine millions of private funds spent for social service.

THE INCREASE IN WELFARE PROVISION

Lawson Purdy said recently:

> Since the consolidation of the city of New York, the population has increased about 75 per cent while the budget has increased from $93,000,000 to $399,000,000, or about 327 per cent. The value of the dollar has changed and the city is richer actually as well as nominally, but the per capita charge today is greater in proportion to real wealth. In 1899 charities, correction, education and health demanded about 27 per cent of the budget and by 1922, 40 per cent. For the current year we are spending for the unfortunate and dependent, which includes hospitals, charitable institutions, child welfare, and so forth, $24,400,000, exclusive of interest. In round figures this is three times what we spent in 1899.

These figures are taken from the official account of the present city administration of its own achievements and while it is more of a popular than a scientific document, the figures are broadly accurate. The population of New York city at the mid periods of these two eras is estimated at 5,136,706 for July 1, 1914 and 5,751,859 for

July 1, 1921, an increase of 11.9 per cent. There seems to be little relation between it and the increases and decreases in appropriations by the city as totaled in the last two seven year periods.

	Sums Appropriated from Jan. 1, 1911 to Dec. 31, 1917	Sums Appropriated from Jan. 1, 1918 to Dec. 31, 1924	Increase
School building	$36,395,000	$173,865,000	472%
Street cleaning	1,051,000	11,754,000	1018%
Hospitals	15,707,000	12,788,000	19% *
Parks	7,235,000	11,490,000	58%
Roads, streets and public buildings	35,668,000	52,240,000	46%

* Decrease.

For a moment it may be profitable to consider increases of the years 1922, 1924, and 1925. These years are taken at random for the purpose of showing recent tendencies. The items spoken of before of recreational and social nature included in the board of education budget total $949,762.10 for 1922; $1,009,827.93 for 1924; and $1,025,140.43 for 1925. This gives 1925 an increase of 7.9 per cent in appropriations over 1922, an increase of 1.5 per cent over 1924. The estimated population shows an increase of 7 per cent in 1925 over 1922, and 3.9 per cent over 1924. The appropriation for the board of child welfare increased in 1925 41.9 per cent over that of 1922 and 24.5 per cent over that of 1924. Appropriations for the parole commission show an increase in 1925 of 4.9 per cent over 1922 and 4.4 per cent over 1924. The appropriation for education and recreation for 1925 shows an increase of 7.6 per cent over 1924, 19.2 per cent over 1922; appropriation for health, sanitation and care of dependents shows an increase in 1925 of 7.1 per cent over 1924, of 24 per cent over 1922. The total appropriations of the city for 1925 show an increase of 5.8 per cent over those of 1924, of 10.9 per cent over those of 1922. There seems to be a steady increase in the size of the total appropriations over a period from 1901 to 1925 but as might be expected because of the number of factors involved, especially that of the purchasing power of the dollar, there is but slight relation to the rate of increase in population. When the items of appropriation are segregated there is little relation discoverable between increases or decreases and growth of population or any one factor. Each item must be explained in the light of many conditioning factors.

Charities, correction, education and health have become relatively much more important parts of the city's work and the city's expenditures over a period of fifty or seventy-five years past. This development is paralleled by a like growth in private provision of the same kinds. The two develop *pari passu*, the one experimenting and demonstrating, the other accepting the tried and proven and administering extensively those measures that are of universal importance and elementally recognized. There is no steady progression in the taking over of functions of social service by the city apparently, and many factors enter into the decision of the city to increase its social services. There are no absolute standards or criteria of division, and the matter requires constant adaptation in a trial and error process, supplemented by the application of all the knowledge the trained social worker can bring to bear and the attention and common sense of the mass of citizens. It is a matter that is affecting vitally their lives and reaching far into their public pocketbook.

STATE SUPERVISION OF MUNICIPAL FINANCE IN NEW JERSEY

BY WYLIE KILPATRICK

State supervision, not accomplished without opposition from "home-rulers," has followed a temperate policy guided by intelligent understanding with gratifying success. :: :: :: :: :: ::

THE New Jersey municipal finance laws constitute a most ambitious and comprehensive attempt to regulate the procedure and in some instances the policy of municipal fiscal administration. The regulatory laws, the initial chapter of which was passed in 1916, have been developed by amendment in succeeding legislative sessions to cover every phase of local finance. Massachusetts, it is true, long preceded New Jersey in requiring the reporting by municipalities of financial data to a state agency and the former's law governing local debt antedated that of New Jersey by three years. North Carolina enacted a well considered law dealing with the finance of local agencies of the state, but its provisions were almost entirely adaptations borrowed from the statute books of New Jersey and Massachusetts.

The New Jersey laws occupy a unique position largely because their provisions were carefully phrased by commissions which drafted the statutes after prolonged investigation. In place of the patchwork of laws on a general subject contained on the usual statutes of a state, a continuity of thought and treatment prevails throughout the New Jersey acts with the result that the provisions in minutiæ dovetail and form a harmonious plan under which municipalities satisfactorily function. Woven in the text of the laws are the "governors" of enforcement, the agencies for checking observance of the legal requirements by periodical auditing and by the supervision of the state department of municipal accounts.

DEPARTMENT OF MUNICIPAL ACCOUNTS

A state agency possessing supervisory powers over local finance is not infrequent in state administration. The scope of the powers granted to this agency, however, is broader in most respects in New Jersey than in any other state which is exercising state control. The work of the state commissioner of municipal accounts extends throughout the administration of the finance laws, either in the mandatory duties imposed on the department or in the advisory aspect of the aid it extends to cities throughout the state. The department of municipal accounts was established by the act of 1918 and its scope broadened by an amendment in 1921. The commissioner of municipal accounts, an office filled since the passage of the creative act by Walter R. Darby, is the head of the department and is given large discretionary powers in administering the duties of the office. He prescribes the character and scope of the audit required to be made of municipal finance. He specifies the substance and form of the local reports submitted to this office. He prescribes the system of getting up the sinking fund accounts and enforces the regulations for their maintenance and audit. He checks all municipal budgets prior to the adoption of the tax ordinance and requires the insertion of any mandatory items omitted by the drafters of the local budget.

The compulsory requirement for audit[1] of local accounts is uniform throughout the state with the exception that it must be performed annually in all municipalities having an assessed valuation in excess of three million dollars while only a biennial audit is necessary in other municipalities. The novel feature of the New Jersey audit is the employment by municipalities of private auditors licensed by the commissioner of municipal accounts as "Registered Municipal Accountants." In no other state does a similar practice exist, since the procedure elsewhere is for the municipal books to be audited by a field staff on the payroll of the state.

The administrative device of utilizing private auditors for the field work has subjected the department to the criticism that faulty work has been performed by men inexperienced in accounting methods or unfamiliar with state law. The work unfortunately was begun during the war when the great demand for seasoned accountants had depleted the supply of trained men. Municipalities in a number of cases resorted to apprentice or junior accountants who had registered their names with the state office. That abnormal condition has now passed and the localities have access to the services of properly equipped auditors.

The original requirements for registration with the state were weak since any accountant could secure a license by subscribing to a declaration that he was acquainted with the municipal laws of New Jersey and that he would honestly audit the books of any municipality by whom he would be employed. In 1922 the department stiffened the requirement by imposing an examination upon all new applicants for a license or old licensees seeking a renewal of their registration. Familiarity with the laws of New Jersey is tested and the applicant must reveal aptness in working out practical problems in municipal accounting. The number of licensees has now dropped from 250 to 160 and it is significant that in the past year the hurdle of an examination has caused over 100 men to withdraw their applications.

Discretion exists with the municipalities, it must be remembered, as to the choice of any accountant from the list of registered auditors. The practice prevails in a number of cities, as in Trenton, and Newark, of annually retaining the same firm. The "family" accountant has a certain utility by reason of the continuity of his work. The counties and the smaller towns employ a different practice since the larger number of them resort to bidding in hiring an accountant. The annual audit is performed by the man who submits the lowest bid and into the work of auditing goes whatever effort is justified by the price the local commissioners have approved.

Municipal auditing by the staff of the state department is not an unimportant phase of its activities. In 1920 the staff performed twenty audits in lieu of private firms on the request of local bodies. The penalty audit, one imposed on a municipality which has failed to employ an accountant, is done almost exclusively by the state staff.

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[1] Laws of 1917, Chapter 154, Sects. 3, 4; Laws 1918, Chapter 266, Sects. 3b–c.

The promptness with which local officials respond to the call for audits is indicated by the record of 1923 when out of 560 municipalities, 500 had filed audits by May 1, thirty had been exempted from the requirement and for only thirty were warning notices of delay required.

The audits in New Jersey have not disclosed peculation or embezzlement to any alarming extent. The total amount of irregularities uncovered in six years would not exceed $150,000. A recent case of dishonesty disclosed by an audit is an example of the smoothness with which the auditing procedure of the department works in checking local accounts. The audit of the books of the town of Greenwich, county of Gloucester, reveal a shortage of $10,266.81 at the close of 1922. As the examination twelve months previous had established regularity and accuracy, the period of embezzlement was definitely set in 1922. Personal responsibility was then readily fixed. The amount due from the surety company was determined within three months and the deficit was replaced by payment in April, 1923, of the amount of the shortage and accrued interest.

UNIFORM ACCOUNTS

Power to establish a uniform system of accounting for the municipalities within the state is given the commissioner of municipal accounts.[1] Despite the grant of power no attempt has been made to make mandatory upon municipalities the observance of uniform accounting methods nor is it probable that the commissioner in the near future will make obligatory the uniform use of an accounting system by all municipalities. Prior to last year uniformity of accounts was approached only indirectly by prescribing the requirements of the annual audit. The installation of adequate records was accomplished in a number of cities as a condition necessary to the intelligent checking of the fiscal books. The field staff of auditors by working with city officials has been the agency through which the state department has improved local accounting standards.

In December, 1923, Commissioner Darby issued an "Outline of the Uniform System of Accounts for Municipalities" which included within its covers many explanatory pages for local officials. The handbook, distributed to every local fiscal officer in the state, was prepared with "the effort to keep in mind the need of the municipal official who has had no experience in accounting or even bookkeeping and the development of a system which will be of assistance to such an individual." In order to satisfy conflicting conceptions of methods, the commissioner has wisely departed from strict uniformity by recommending two plans of accounts. One is an adaptation of double entry bookkeeping to municipal needs and the second, known as the "Statement Plan," is designed for the use of cities employing technically qualified accountants. The adoption of either plan is not compulsory. The issuance of the book is another step, the most important one as yet taken, in educating local officials of New Jersey to raise the standard of municipal accounting.

Within sixty days after the end of the fiscal year on December 31, every municipality is required to file with the state department[2] a financial statement of the preceding year. A full record of the fiscal history of the year is contained in the report, receipts being itemized according to source of revenue and expenditures being classified in detail under budget captions. This document, together with the annual debt statement, contains the primary facts upon which to judge the financial health of the community. The manner in which the statements are collected from 560 municipalities attests to the cordial relations which the state commissioner has developed with local officials. In the first years of the department, thirty to fifty municipalities were delinquent in filing their reports. Resort to court action through the state attorney-general was necessary to compel many to report. By 1922 the number of delinquents had been cut down to fifteen. The following year only four failed to respond and for 1924 not a single municipality failed to file a statement.

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[1] Laws of 1917, Chap. 154, Sects. 3 (c).

[2] Laws of 1917, Chap. 155.

No consistent effort has yet been made by the office of municipal accounts to correlate the financial statement with the annual audit. In a number of cases it is true, the accountant who prepares the audit renders the statement. Lack of funds, however, had prevented the state office from checking the financial statement, normally compiled by city officers, against the audit, prepared by an accountant independent of the city hall. Nor has the department insisted upon detailed revision of the statements when later events have shown them to be faulty. These practices can be ascribed solely to lack of an adequate clerical staff. The utility of the statement will be developed logically under a larger appropriation for the department.

Publication of an annual report of comparative municipal statistics is a requirement of state law. In 1917 and 1918, a report was compiled and published. In the following years, the department prepared the report and turned it over to the state printer for publication. Contending that the public demand for the publication did not warrant the expenditure of printing the reports, the state printer returned them disapproved. Despite the popular discussion current in New Jersey over taxation and expenditures, the legislative budget committee has refused to sanction an appropriation to carry out the requirement of the state law for publication. The department of municipal accounts is now in the anomalous position of stringently insisting upon the rendition of fiscal reports by municipalities and being denied the right given it by law, to place before the public a study of the comparative statistics contained in those reports.

CURRENT FINANCING

"The budget is the instrument of control for the year's current revenues and current expenditures" is the statement used in an introductory paragraph of the state budget act.[1] The municipal budget under the New Jersey law is conceived as an instrument for balancing income and expenditure and restricting all payments for current purposes to income currently received. All revenues anticipated for receipt during the current year must be set forth and only by its appropriations can expenditures be made during the period. A certain degree of latitude is allowed municipalities by permitting amendments to the budgets prior to the adoption of the tax ordinance. Participation by the public in budget hearings is permitted, though infrequently exercised in practice, by elaborate requirements for hearings and publication of the preliminary drafts of the budget. The state budget act has undoubtedly succeeded in accomplishing the major purposes of the budget as an accounting device. The filing of a copy of the budget with the department of municipal accounts immediately after its approval, but before its adoption by the local governing body, ensures an inspection of its form and content by an examiner familiar with the legal requirements.

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[1] Laws of 1917, Chap. 192; Laws of 1918, Chap. 242.

Not only does the office scan the budget of every municipality so as to check its conformity with the statutes and its observance of proper form, but the state commissioner has the power and the duty of directing the inclusion in the budget of any mandatory items omitted by the local body. Though this power was granted particularly to insure the appropriation for sinking fund installments, its scope covers deferred charges such as emergency appropriations, interest deficiency items, appropriations to cover over expenditures or to meet deficits.

Six years' work by the state department has acquainted local officials throughout the state with the mandatory requirement so that the actual exercise of the power of altering budgets is reduced to a minimum. In 1923 the commissioner ordered the insertion of fifty items in local budgets, the majority of the changes referring to sinking fund charges. Of the total number, twenty orders were cancelled, since the local officials recognized their errors at an early date. In only a few instances did the local bodies ignore the request of the commissioner and so cause him to direct the county board of taxation to make the required alteration.

From the viewpoint of advanced methods, extended criticism could be made of the budgets in operation in New Jersey cities under the state act. The full possibilities of the budget as a fiscal and policy controlling instrument are hardly approached. A close correlation between accounts of record and the budget is rarely accomplished. Few cities have attempted a classification of income expenditures by object or function. These criticisms must, however, be directed in the main at the local fiscal officers. The state law is designed to be sufficiently elastic to permit the development of better budget technique by local officials. It cannot superimpose elaborate systems upon municipal officials, many of whom are hardly acquainted with the rudiments of double entry bookkeeping.

The laws of 1917 and 1918 sought to end the pernicious practice of municipalities evading the payment of current obligations solely from current income by the device of shifting on to future years and future tax rolls unpaid bills in the form of temporary debt. The commission surveying municipal finance reported that "in 1914, municipalities raised by taxation approximately $52,000,000 for local, county, and state school needs, and not less than $20,000,000 was borrowed to finance requirements in anticipation of the receipt of these revenues." Under the former statutes one form of instrument was used for borrowing against the budget. Notes in anticipation of the collection of taxes to become due was the same form employed to borrow in anticipation of the receipt of tax arrears.

TEMPORARY BORROWING

The two bases for temporary borrowing against the budget were distinguished in the state budget act and the employment of two instruments was authorized. "Tax Anticipation Notes" may be issued in amount equal to fifty per cent of the taxes levied (all other sources of income are excluded) between the date of the adoption of the budget and December 20. The notes must be retired not later than December 31 of the current year. On that date the city has a second borrowing power, the authority to issue "Tax Revenue Bonds" against unpaid taxes. The bonds have a term not exceeding three years and all receipts of taxes for the year for which the bonds were issued are diverted to the redemption of the bonds. If at the end of the fourth year following the issuance of the bonds any portion of their principal remains unpaid, the municipality must include a sum in the current budget to retire the outstanding amount. These two instruments, providing ample authority for the municipality to secure funds for current expenses, so sharply limit the base against which borrowing may be made and define the time and manner of redemption that the practice of floating debts indefinitely upon future generations of taxpayers is impossible.

The transition to the present methods of collection and disbursement has not been made without loss and waste of money. Municipal budgets in nearly every city are increased by the interest charges, in some cases abnormally large, on these two instruments. With the beginning of the fiscal year on January 1 the city naturally has obligations demanding immediate settlement. The first due date for tax payment, April 1 to June 1, results in the initial payments coming into the city treasury the latter part of April, though the major portion is not paid until the last half of May since taxes are not delinquent until June 1. For the period of the first four months of the year the city must pay bills with borrowed money. The issuance of tax anticipation notes does not end here, for in the fall months the depletion of the treasury requires a second period of dependance upon borrowing up to December 1, when all taxes for the year become delinquent. The interest on tax anticipation notes is a direct result of the state law imposing a tax and budget calender whose dates for tax collecting do not run parallel with tax expenditure.

The amount of tax revenue bonds outstanding indicates the extent of the city's failure to collect revenue during the year in which it is spent. To the extent that arrearages of taxes are collected with interest penalties there is no loss to the city. To the extent that administrative expense for collection is incurred or unpaid taxes are included in later budgets, an actual loss results to the city.

The Pierson Finance Acts with one stroke ended floating debt, as it has long been known, by putting the clamp down on the postponement of paying current obligations. This rough piece of surgery did cut off the debt indefinite in term, but it forced back into the body politic some of the virus it sought to eliminate. Local budgets have bulged by reason of increased interest charges made necessary by continued borrowing to pay current expenses out of money on hand. The annual expense to New Jersey cities of interest payments on anticipation notes is approximately $1,000,000.

Actually, the expensive feature of floating debts, that is, interest payments on loans whose benefits have ceased, find a restatement in the interest charges on tax anticipation and tax revenue notes. A sharp distinction, it must be noted, should be drawn between the evils of the two practices. Anticipation notes and revenue bonds are supported by live assets; floating debts rested upon fictitious assets. The cost of the anticipation note is paid in the year for which it is issued; the expense of the floating debt was paid in future budgets. Only to the extent that the principal of tax revenue bonds must be included in later budgets is there a duplication of the postponed payment of floating indebtedness. In short, the evils of floating debt have taken a new form, though not so serious a form, in excessive temporary borrowing.

SURPLUS RESERVE ACCOUNT

Though the Pierson Acts contemplate anticipatory borrowing, provision is made for its avoidance by the creation of a surplus reserve account. Into this reserve may be diverted all revenue received in excess of amounts anticipated and all unexpended budget balance. By omitting to appropriate the surplus, or at most only a minor fraction of it, in the annual budgets, the reserve fund can accumulate in the course of a number of years into a municipal revolving fund. Loans without interest may be made from it to the city departments to pay current obligations prior to the receipt of taxes. When the treasury receives tax money, the borrowing from the fund will be replaced.

Interest payments on anticipation notes would reach a much larger total than it does if a number of the cities had not built up a surplus reserve in the manner authorized by the budget act. In the past three years Trenton has not resorted to anticipatory borrowing. For two years the fund of Montclair has been sufficient to dispense with such loans. Newark, having an annual budget of fifteen million dollars, made small anticipatory loans in 1923 costing but $43,000 in interest.

The wisdom of the continuance of these surplus funds has occasioned little if any comment in the state. Though the budget act is fairly detailed in specifying the manner of their administration, the funds are in fact subject to the wish and whim of the city officials currently in power. Additions to the fund are made only by ordinance of the local commissioners. In any year the fund may be depleted by appropriating its principal in the budget for current expenditure. Campaign promises to reduce taxation can be readily met by using the surplus laboriously built up by previous administrations. During election years, candidates for reëlection can easily turn to the fund as an expedient for holding down the tax rate below the level normally necessary.

The administrative device of creating surplus funds is so recent and its extent is so uneven throughout the state that no judgment can be made now as to its utility. The very presence and authorization of the funds is a peculiar sidemovement of a state finance program designed to safeguard minutely the custody of all municipal money. Sinking funds prior to the enactment of the Pierson Acts, were continuously the source of troubles since they were not adequately supervised. The same series of finance laws which subject the sinking fund to stringent control carries over to the surplus fund many of the possibilities of mismanagement formerly current in sinking fund administration.

LONG-TERM FINANCE

Fundamental theories underlying the issuance of long-term bonds have not been reduced to exact principles acceptable to state legislators and municipal administrators. Bonds have been issued by municipalities for almost every purpose for which current income is expended. Terms of bonds have extended into a period when the improvement for which the obligation was originally issued was replaced several times. Methods of redemption have varied from an orderly serial retirement to the payment of the principal in one year, the year of maturity.

The New Jersey statutes are based on the principle that the expense of paying for improvements may be spread over a period of years coincident with the life or utility of the improvement.

The act defining the terms for bonds is most carefully drawn and has been a model to legislative draftsmen in other states. Its universal observance has had the invaluable effect of preventing debt redemption from extending into years when the benefit from the improvement has long ceased.

A long experience with municipal sinking funds led to the prohibition in the Pierson Acts [1] of the issuance of sinking fund bonds by municipalities and the requirement that all future issues be confined to serial form. The fundamental trouble of sinking fund bonding was that of administration. Defalcation or the ever present danger of peculation, hazardous character of the official personnel supervising the fund, the doubtful choice of investment of funds, the uncertain calculation of payments into the funds were points on which many of the New Jersey cities had impaired their credit and paid highly in added tax burdens.

Almost invariably the argument is advanced by proponents of serial bonding that the serial bond is the least expensive method of debt redemption. During the discussions before the New Jersey legislature tables were introduced showing the net savings effected by serial over sinking fund bonds. Efficiently administered, the sinking fund bond, in fact, costs exactly the same as the serial bond. Investing the money at the same rate of interest without loss of time in the turnover of investing, ensures annual earnings which place the cost of sinking fund bonds on an even par with serial bonds. Only by the choice of low interest bearing securities as investments or by delay in investing funds does sinking fund bonding become the more expensive method. The experience of several cities in New Jersey and New York show that by skillful investments the earnings of the sinking fund make debt redemption less costly by that method.

Any saving pointed out by advocates of serial bonding aside from loss through sinking fund administration is based on less interest charges resulting from the periodic retirement of serial bonds during the term of the issue. As the installments of the serial bonds mature and are paid off the principal shrinks and interest charges decline. In reality, the saving is solely a result of the shortening of the actual life of the bond. A bond issued in serial form twenty years has, in fact, a life of ten and a half years. The natural result of shortening the life of any bond issue is to decrease the total cost. Proponents of the serial bond have not found a cheaper method of debt redemption; they are favoring merely the contraction of the economic life of bonds below the "face" term for which they are issued.

The test of the actual cost of serial bonding now mandatory by statute is the manner in which the principal is retired during the term of the bond.[2] The normal municipal bond issue for any New Jersey city is the "straight" serial bond, that is, one whose installments are retired in equal annual maturities. The contraction of the larger part of the cost within the early years of the term naturally follows. The municipalities accordingly surrender a striking advantage of the sinking fund bond which ensures that the total annual expense of retiring the bond (principal redemption plus interest) is distributed in equal annual installments. The Pierson laws seek to remedy the disadvantage of the straight serial by permitting the issuance of bonds whose maturities are so graded that the later installments in the life of the issue are fifty per cent in excess of the early retirements. This permissive feature, if the option were exercised, would minimize the disadvantage of the straight serial.

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[1] Laws of 1916, Chap. 252; Laws of 1917, Chap. 240.

[2] A stimulating study of New Jersey serial bonding by Mr. T. D. Zukerman, to whom the writer is indebted, is contained in the Survey of the City of Newark by the New York Bureau of Municipal Research.

NO SERIAL ANNUITY BONDS

Unfortunately, New Jersey does not authorize the issuance of the serial annuity bond which is designed to equalize the burden of redemption. Under the annuity, the annual installments are so computed that the redemption of the principal increases by approximately the same amounts as the interest decreases. Only for bonds of short terms, ten or fifteen years, does the fifty per cent option secure a distribution as equitable as the annuity type. For bonds of longer terms the "fifty per cent graded serial" quite fails to equalize properly the installments. Certainly, the "fifty per cent option serials" is only an expedient which reduces but fails to overcome the disadvantage of the ordinary serial bond. The transition from the sinking fund to the serial bond so widely heralded as embodying a scientific process of redemption, has not been made without serious loss. The framers of the present laws failed to take over the equitable basis of distributing the burden of retiring debt found in the sinking fund method and have permitted a serial bonding which usually makes no pretense at an even annual debt expense and at best only roughly approximates that aim.

The contraction of the heavier portion of the redemption charges during the early years of the term may be expedient for improvements of a quickly wasting character. Improvements of all classes require but little expense for maintenance or repair during the first part of their life. Expendable improvements, such as frame buildings or asphalt streets, quickly pass into a period requiring annually an appreciable expense for upkeep. The heavy debt charges of the earlier years are a natural and necessary counterbalance to the repair costs of the later years.

For a second class of improvements this justification cannot be made. Land purchased for school buildings, the property condemned for street paving will not depreciate normally in the slightest during the life of the bonds. Buildings, water reservoirs and other improvements of a durable construction will require a minimum amount for repair during the later part of the term. If the debt burden is to be distributed in accordance with the benefit conferred during the life of the bond the annuity bond is clearly the type of serial adapted to durable improvements.

The New Jersey law half heartedly recognizes the unjustice of the "straight serial" by providing the optional fifty per cent serial. The option, however, may be exercised either for durable or rapidly expendable improvements. The New Jersey practice would be improved by the extension of the "fifty per cent" option into a serial annuity solely applicable to bonds for durable improvements.

DEBT LIMITS

Limitation upon a municipality's power to expend money for debt service is imposed in the Municipal Bond Act [1] by confining its borrowing capacity rather than limiting its taxing power. A measure of borrowing ability is established beyond which no bonds may be legally issued. The yardstick for measuring borrowing capacity has been worked out with a care unusual in state statutes. Assessed valuation of property, the norm always taken as a basis to judge borrowing ability, has

[1] Laws of 1916, Chap. 252, Laws of 1917, Chap. 240; Laws of 1920, Chap. 108.

been narrowed down to the average of the last three valuations of real property.

The previous realty valuation is obviously an unstable basis since an unjust increase may be made in assessed values in a single year for the sole purpose of gaining greater borrowing capacity. By requiring that an average be taken of the three last valuations undue manipulation of the debt limit by the local governing body is impossible, though the debt margin may be made high by a consistent policy of increasing valuations over a period of years. Personal property is eliminated from the base since its assessment is so uneven throughout the state and it is subject to exemptions varying with amendments to the tax laws.

From the operation of the debt limit certain obligations are entirely exempted. Tax anticipation notes and tax revenue bonds supported by revenues in the process of collection are not included. Special assessments levied against property and not collected, water bonds, public utility obligations up to three per cent of the valuations of utilities are removed from the ban. The amount in the sinking fund is a credit to be applied in determining the net debt.

A less reasonable exemption is the waiver of school bonds up to six per cent of the average assessed valuation. The original text of the law did not remove school bonds from the debt limit. Insistence by representatives of the public schools that educational purposes should be especially favored resulted in the exemption of school bonds up to three per cent of the valuation. The legislature of 1924 enlarged the exemption by removing the debt ban on bonds for school purposes up to six per cent and allowing additional issues up to nine per cent conditional upon a favorable popular referendum.

The satisfactory nature of assessed valuation of realty as the basis for the debt limit is largely conditioned upon the efficiency of assessment procedure. Failure by New Jersey properly to equalize the assessments between taxing districts results, in practice, in a widely varying debt limit throughout the state. The ratio of assessed value to market or actual value differs to a marked degree among municipalities.

PRE-EXISTING SINKING FUNDS

The commission to survey municipal finance found the failure of local sinking fund administration prior to 1916 to consist in:

1. The unscientific provisions of the statutes for annual sinking fund requirements.
2. The lack of proper consideration on the part of public officials for sinking fund obligations.
3. The lack of properly constituted control and supervision over sinking funds.
4. The inefficiency of the administration of sinking funds due to the lack of independence of sinking fund commissions from the governing bodies.

The expansion of municipal sinking funds in New Jersey, over $140,000,000 in bonds being issued from 1906 to 1916, made the protection of the funds and the guarantee of their payment upon maturity a cardinal point in the framing of the new fiscal laws. The legislature of 1917 enacted into law[1] the recommendations of the commission designed to correct the evils pointed out in the above analysis.

Independence of sinking fund administration from the local governing bodies was sought in the creation of commissions a majority of whose members are not connected with the governing board. A commission of five members may be appointed for any sinking fund but a body of this size is obligatory where the fund is in excess of $50,000. The executive officer, the chief fiscal officer, and three non-office holding taxpayers named by the governing body form the five member commission. The original act provided for a three member commission, the fiscal officer and two qualified taxpayers, for funds below $50,000. Five years experience with the law revealed difficulty in securing financially trained members for the smaller localities. In 1923 an amendment to the act vested the administration of the sinking fund in one man in the smaller municipalities and school districts. In the former the chief fiscal officer and in the latter the custodian of school funds supervises the sinking fund.

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[1] Laws of 1917, Chap. 212; Laws of 1918, Chap. 243.

A definite amortization basis was specified as the standard in administering the funds. Many of the previous laws had a fixed requirement for the earning power of the investments differing with individual bonds. Sinking funds, as a result, contained assets which had no relation to the sum which should normally accumulate on an acturial basis to retire the bonds at maturity. Using the sinking fund earnings of 1915 as an index—3.25 per cent to 4.37 per cent—the law set 3½ per cent as the annual cumulative basis for required earnings. The Pierson law does not, and of course, cannot set a maximum earning rate. The 3½ per cent rate is simply a minimum below which the earnings cannot fall legally.

Detailed supervision of local administration of sinking funds is a power vested in the commissioner of municipal accounts. In 1917 he exercised the power given him of requiring a complete valuation of existing assets in funds as of December 31, 1916. The valuation then taken has been used as the basis of computing the annual contributions to the fund. By November 1 of each year the sinking fund commissions send to the commissioner their calculations for the next year. The office of the commissioner checks the calculations and certifies to the local governing body the exact amount which must be inserted in the municipal budget for the ensuing year. The administration of this power has been referred to on previous pages and indicated that any failure by localities to levy sufficient taxes for the sinking fund is due almost entirely to negligence or clerical error.

Serious shortages in many funds at the time of the enactment of the sinking fund act led to the insertion of drastic directions for the rehabilitation of inadequate funds. Until all sinking funds contain amounts which, cumulatively increasing, will amortize their bonds a special tax is levied at the rate of not less than one-fifth of a mill per dollar of assessed valuation.

A comparison between the condition of the sinking funds in 1916 and 1921 for all counties, cities, and towns in the state forms an indicative record of the operation of the sinking fund act during its first five years and is an illuminating example of the efficiency of administrative supervision of municipal finance. The gross deficit of county sinking funds as of December 31, 1916 of $1,675,122.90 was reduced to $594,140.98 by 1921 while a net deficit of the former date of $952,209.49 was turned into a net surplus in 1921 of $120,732.79. For towns the net deficit was reduced over a third, the exact decrease being from $862,347.08 to $489,681.79. A reduction of over fifty per cent was accomplished in the deficits for cities, the 1916 figure being $3,175,137.46 and the 1921 amount being $1,421,192.15. For all three classes of municipalities, the net decrease in deficits was over two and a half million dollars.

EFFECTIVE STATE SUPERVISION

The municipal fiscal statutes of New Jersey embody a complete example of regulation of local finance through a state agency possessing mandatory powers. Though centralization was not accomplished without opposition, opinion or prejudice, yet unchecked "local home-rule" has not proven the barrier to state supervision that it has in New England or the South. Accustomed to stringent state regulatory laws, the municipalities were repaid for the rapid transition to state supervision within a three year period. In the main, the regulations have been imposed upon the cities by direct mandate of law. Failure to note the educative work of the department of municipal accounts, however, will result in entirely misleading conclusions. The department has consistently refrained from fully exercising all the optional powers granted it when local officials were unequipped to administer the procedure that would be entailed. Delay in reports or audits have been overlooked. No uniform accounting system has been installed. In short, the wide mandatory and discretionary powers of the department have been moderated by an intelligent understanding of the problems of local officials. The tempered policy and efficient administration of the New Jersey department of municipal accounts is the one best example afforded by any American state of the efficacy of regulating municipal finance through a central state agency.

HARRISBURG'S CITY PLAN

BY DEAN HOFFMAN

Editor, Harrisburg Patriot

Introductory Statement by Dr. J. Horace McFarland. *Nearly twenty-five years ago, Harrisburg began to better her atrociously bad conditions through the use of that expert advice which is now generally included in a city planning report. The opinions of three eminent engineers were obtained, were co-ordinated by the Municipal League of Harrisburg into one statement, and were made the basis of a campaign of education among the people, who were asked to authorize the spending of the full possible limit of bond issue under constitutional restrictions, in order that according to these reports unofficially obtained the water might be filtered, the sewerage system might be revised, the streets might be properly paved, and a real park system might be created.*

The campaign was successful. The loan was voted. Although the plans were wholly unofficial and never were definitely adopted by the city authorities, they were through the continuance of the effort of the Municipal League of Harrisburg quite closely conformed to in respect to the expenditure of the money voted.

The result is municipal history. No city of America has within the last half-century projected and completed so harmonious and concrete a body of civic betterment as has Harrisburg, if its size and resources are taken into account. The effect on the prosperity of the city, on its civic consciousness, and on the nation at large has been notably important. Considered prior to 1900 not a pleasant place to live in, with its typhoid fever *rate fully eight times a decent minimum; with its magnificent river front used as a public dump; with its unpaved streets mere mud-holes; with five park commissioners who managed or unmanaged a total of but 45 acres of parks—Harrisburg had some room to go!*

Taking stock of the accomplishments following this then unnamed city planning interference with a bad situation, it is noted that now with filtered water the typhoid rate has sunk below the average minimum; the city has more than eighty miles of well-paved, continually cleaned streets; the sewerage system has been admirably combined into two great intercepting trunks, and the outfalls protected by a sanitary dam in the Susquehanna River which has also provided a beautiful lagoon for park and pleasure purposes. A full thousand acres of park land are owned and reasonably well administered, provoking each year more than two million park visits from the eighty thousand population. The city's water front is unique in all America, and one of the most beautiful in the world. The city's architecture has improved in consequence, and even the somewhat slow-moving state authorities are now sitting in with the thought of doing as well by the state capitol surroundings as the city has done for them about their premises. Better school surroundings are being provided, and better schools are being built. Six times since the first loan was carried, the same sort of educational campaign has convinced the same voters that they ought to continue to provide money for orderly improvements conducted under expert advice.

So Harrisburg has been practicing city planning, but had reached the point where the foresight of the brilliant men who advised her a quarter of a century ago needed following up. It is into this situation that the Swan report enters. The change in form of government to the so-called "commission" ideal interposed by the Clark Act in Pennsylvania some years ago, submits these plans to the judgment of five men plus a city planning commission without much power. Those of us who are deeply interested are exceedingly anxious and very hopeful that another quarter century of progress may be underwritten by continuing the process which has worked so well. We are urging with all reasonable insistence the adoption of the Swan report, which Mr. Hoffman has admirably summarized in the following statement. Fearing that the editor may not say so, I am setting down the fact that Mr. Hoffman is the editor of The Patriot, the newspaper in Harrisburg owned by the Honorable Vance C. McCormick, which has been in the very forefront of all progressive work in the city.

A COMPREHENSIVE survey of traffic and thoroughfare conditions has been completed and turned over to Harrisburg by Herbert S. Swan of New York. In common with all other cities, Harrisburg has become a victim of traffic congestion approaching in some sections of the city a creeping paralysis. A year ago its city planning commission turned to Mr. Swan for suggestions. The answer is a bulky document, chock-full of definite suggestions, many of them conceded to be practical, and laid out in a three-cycle program covering ten years.

Thus far no official action has been had upon the report beyond the acceptance of many of its suggestions by the planning commission and the passing of them on to council in the form of recommendations for immediate adoption.

HARRISBURG A STATE CAPITAL

More than twenty years ago Harrisburg dug itself out of its muddy streets by paving them, banished malaria and typhoid by draining its

Paxton Creek valley marshes and filtering its Susquehanna River water; built a comprehensive sewer system, gave its river front an ornamental river embankment included administratively in the great system of parks and parkways which it established and otherwise improved itself.

With the multiplication of the motor car, the city suffered the pangs of traffic congestion. These were especially painful because of the somewhat peculiar geographical layout. Virtual bisection of the city by the Pennsylvania Railroad has squeezed the business district into a relatively small area. Within this area is Capitol Park with its State House and kindred buildings and parkland which restricts natural expansion. The river on the west checks growth in that direction. A rapidly growing Allison Hill residence section to the east of the railroad pours its traffic into the business district to add further to congestion. In a word the business area is asked to perform the functions of a funnel neck. The results are deplorable.

Mr. Swan reviews the odd conditions, emphasizes the paucity of through streets and then proceeds to make the best of a difficult situation. Like many other cities, Harrisburg pursues the short-sighted policy of permitting generous parking, or rather storage privileges of private vehicles on public streets. After pointing out the obvious fact that cars parked with the curb reduce the width of the street by just that much and showing how additional lines of traffic might be handled with parking abolished, the report recommends that virtually all parking within the congested area be abandoned at once.

Allowance is made for freight deliveries and collections with parking confined to one side of the thoroughfare. Loading and unloading zones on streets are provided for business establishments without alley connections.

TRAFFIC A PROBLEM

As a reminder of earlier days, when it was felt incumbent upon every street car company to operate all its cars through a central square, that custom prevails in Harrisburg. The result is that the densest district is shot full of left-hand trolley turns, dangerous and obstructive to traffic. Instead of having Market Street and Market Square the media of every car route, urban as well as suburban, the report recommends a wide-range rerouting of street car lines. Instead of using the most congested streets as loops, streets on the edge of rather than within the business zone are suggested. It also suggests extension of the runs so that passengers may travel from east to west and north to south without being compelled to change cars in the busiest part of the city and so that the cars themselves can avoid the same thing.

Suburban traffic from west of the Susquehanna River in Harrisburg is handled by a company separate from that serving the city proper, but this West Shore traffic is brought to Market Square, thus compelling the cars on their "out" trip to run against traffic on one of the busiest streets, and so creating a very genuine hazard. The report points out that this practice could be abandoned if the Valley cars, as the West Shore cars are known, could extend their runs through Harrisburg to suburban points on the east and then on the return trip leave the city over a bridge other than that on which they entered.

The report makes it perfectly clear that a very considerable improvement to traffic conditions generally will result if the recommendations with respect to trolley changes are adopted. It carries diagrams showing how the rerouting could be accomplished in three stages. It also proposed in the interest of speeding up traffic movements that on street cars the "pay-as-you enter" practice be abolished on outbound cars in the business section for the "pay-as-you leave" principle, while the reverse order would apply on inbound cars.

The planner also sees great possibilities for speeding traffic by establishing safety zones for street car passengers on Market and other wide streets, once parking is abolished. Such an arrangement permits other traffic to flow, even if trolley traffic is detained by loading or unloading. This improvement, by the way, has already been instituted.

For the benefit of through traffic, the report recommends more general use of highways which detour the congested district. With all its street restrictions, Harrisburg is fortunately possessed of highways which permit such detours. The report suggests they be more clearly marked by signs and that greater use be made of them.

RAILROAD COMPLICATES MATTERS

In some respects Harrisburg is two cities, one lying west of the railroad; the other, the Hill district, lying east. At many places the railroad right of way represents as many as twenty tracks, at no place fewer than five. It is readily recognized that bridges or subways are much too few between these two sections. In the very center of the city, a magnificent viaduct carries Mulberry Street over the tracks.

A block or two north, a narrow Market Street subway, endeavors to conduct traffic. The subway has been a source of merited public complaint for many years. It is a narrow conduit of two levels with a sharp curve at the half-distance. It frequently is blocked by back-water and has been the scene of endless delays to motor and street-car traffic. Plans are proffered for widening the subway, blocking out the curve and giving it the full width of Market Street.

A second and very logical connection between the Hill and central section of the city is the so-called Second-Paxton Street route. Very generous use of this route is already being made, but the use is limited by the crossing at grade of tracks connecting with a freight station. Solution of this problem has been sought for many years. The report presents four plans by which the tracks can be eliminated and full use made of another great highway east and west.

In Harrisburg as in many other cities many streets are wide enough to accommodate three traffic lanes, but not four. In most of these cases, the recommendation is that side-walk widths be reduced so that the lost street surface can be utilized.

The report also recommends that many streets be widened to almost double their width. These are streets now or soon to be embraced by the business section. In most instances the widening process is to cover a period of years.

It is rather remarkable that it was found necessary to recommend only one new street in the sense of cutting a swath through existing buildings. This was done to give relief to a narrow street which otherwise must handle all the heavy traffic which will pour through Commonwealth Avenue, the one highway reserved for the city through Capitol Park.

Extensions of many streets are recommended. Thus far all the traffic north and south along the river is confined to Front Street, the justly famed "River Drive." Congestion is unavoidable under the circumstances. To dilute this traffic the report suggests extensions of streets lying east so that five miles north of the city traffic can begin to diverge and use subsidiary highways. Similar suggestions are made for streets in the eastern area of the city. Additional driving bridges to the two already in use are suggested both to the north and the south.

A TEN-YEAR PROGRAM

Numerous and various as are the suggestions, the report does not end without co-ordinating them into a program, one chapter of which shall be set down in 1925; another group from 1925 to 1930 and a third from 1931 to 1935.

For the current year, the suggestion is that the major thoroughfare plan be placed on the city map, new traffic regulations adopted, new parking rules enacted, first stage of trolley rerouting taken, pay-enter and pay-leave system of trolley fare collections established, and a few streets widened.

The next five-year period, under the plan, would include a second stage in trolley rerouting, synchronous traffic control in business section, reconstruction of Market Street subway, elimination of South Second Street grade crossings, more traffic crossings over the railroad and more street widenings.

By 1935, then, the following improvements would have been made: third stage of trolley rerouting, more streets widened and extended, and an additional bridge over the Susquehanna built.

In conclusion the report reduces the situation to dollars and cents with the statement that avoidable congestion today is costing Harrisburg annually $450,000. This sum is calculated on the basis of a 10-hour day, 300 days a year. It does not include any losses from delay at night or on Sundays or holidays. He reduces this amount to show the monthly loss, $57,500; the loss per day, $1,500; and per minute, $2.50. It is pointed out that this represents the interest on $10,000,000 of improvements, and refers only to present conditions. Ten years from now double the loss is predicted, equivalent to interest on more than $20,000,000.

CHIEF ELEMENTS OF CONTROVERSY IN PUBLIC UTILITY RATE MAKING[1]

III. DEPRECIATION PRACTICE AMONG LARGE INDUSTRIAL CORPORATIONS

BY JOHN BAUER

Public Utility Consultant, New York

> "*Large industrial corporations, with almost negligible exceptions, do recognize the force of depreciation and provide for it systematically and adequately.*" :: :: :: :: :: :: :: ::

In two previous articles, I discussed the problem whether the *depreciation policy* or the so-called *renewal method* should be used for the purpose of effective public utility regulation. I attempted to show that in determining the cost of service, depreciation provides a more accurate and regular allowance for plant upkeep, and safeguards more systematically the financial stability of the companies and provides directly for the strict maintenance of the investment.[1]

In the present report the purpose is to make a survey of the practice among large industrial corporations, on the assumption that they have adopted the best financial policies and that they may be taken as a guide of what is wise for public utility companies. They have unlimited financial strength and can afford to carry out the policies which have proved to be sound and desirable.

THE COMPANIES SELECTED

For the purpose of this study, only super-corporations have been used. Twenty-two companies were taken from Poor's and Moodys' 1924 volumes on Industrials, which are devoted to corporations not subject to public rate regulation and which exclude all railroads and public utilities.

The basis of selection was the ownership of total assets, as stated in the latest balance sheet, amounting to $200,000,000 or over. The intention was to include all corporations which conformed to this basis, but no minute search was made of the two large volumes, so that possibly a few corporations may have been omitted which should be included. But there were no deliberate omissions and the number is sufficiently large, so that the results cannot be affected by any incidental oversights. Every corporation was taken without discrimination if the total assets come up to the standard, except in the case of groups of affiliated companies, such as the so-called Standard Oil group, where only the principal company was selected. The list, arranged in the order of the total assets, is as follows:

1. American Smelting and Refining Company
2. Transcontinental Oil Company
3. Union Carbide and Carbon Corporation
4. Phelps Dodge Corporation
5. Westinghouse Electric and Manufacturing Co.
6. International Mercantile Marine Company
7. Shell Union Oil Corporation
8. International Harvester Company
9. Youngstown Sheet and Tube Company
10. E. I. DuPont de Nemours & Company

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[1] The NATIONAL MUNICIPAL REVIEW, April and May, 1925.

11. United States Rubber Company
12. Gulf Oil Corporation of Pennsylvania
13. Swift and Company
14. General Electric Company
15. Sinclair Consolidated Oil Corporation
16. Anaconda Copper Mining Company
17. Armour and Company
18. Ford Motor Company
19. General Motors Corporation
20. Bethlehem Steel Corporation
21. Standard Oil Company of New Jersey
22. United States Steel Corporation

CHARACTER OF DATA

This is a formidable list of mammoth corporations, and if they are substantially agreed in any important financial and operating policy, it may be safely taken as the practice of the best organized business.

The data obtainable from "Poor's and Moodys'" are not as complete as might be desired, nor as directly comparable, but they nevertheless show conclusively that a liberal *depreciation policy* is the course pursued almost without exception.

The volumes do not make a special treatment of depreciation, but furnish the information in connection with a wide range of other financial and operating data. In some instances, there is a direct statement of depreciation policy, giving the bases on which the allowance is made. In some the charges for depreciation are separately set forth in the income account, but in others they are merged with operating or manufacturing costs without separate reference. In most cases, however, the policy pursued is indicated in the balance sheet, showing that a large depreciation reserve had been accumulated out of previous earnings.

If a depreciation policy is presented, or if an amount for depreciation is separately stated in the income account, or if a reserve is directly or indirectly shown or referred to in the balance sheet, we have sufficient information to prove that the depreciation policy is pursued. But even if there is no reference to depreciation, either as explanatory statement of policy, or in the income account, or in the balance sheet, the depreciation policy may still have been followed, but with the results merged in other figures. In the income account, depreciation might be included in operating costs without segregation, and in the balance sheet the deduction may have been made directly from the property accounts without a separate showing or explanation. If there is no reference to depreciation, the policy is probably not followed systematically, but this is not directly demonstrated to be the case.

STATEMENT OF DEPRECIATION POLICY

Of the twenty-two companies, in only nine cases was there a direct statement explaining the depreciation policy followed. In each of the nine, the charges were based upon the cost of the depreciable property and the expected life of the different classes.

It should be clear that in the thirteen cases for which no statement of policy was made, the absence of such general explanation merely means that the report fails to give the specific basis of computation. In most of the cases, the separate figures in the income account or balance sheet demonstrate that as a fact the depreciation principle has been followed.

CHARGES TO INCOME ACCOUNT

Turning to the income account, we find fourteen cases out of the twenty-two, where separate charges for depreciation are set forth. The allowance in each case is sufficiently large to indicate a liberal policy, making ample provisions to amortize every class of property during the life time of the different units.

But in the eight cases where no separate charge for depreciation is given in the income account, the allowance in most instances was merged with other operating costs. There is merely the lack of separate showing and not omission of depreciation charges.

TREATMENT IN THE BALANCE SHEET

The most complete indication of the policy pursued appears in the balance sheet, which gives the financial standing of a company at a particular point of time (mostly as of December 31, 1923). The more frequent treatment of depreciation in relation to plant and equipment, is to show the amount of the original cost charged to past operation in a separate *depreciation reserve.* The full original cost of all property used in service is thus shown in the plant and equipment (or property) account, while the amount of such cost already applied to past cost of operation appears in the reserve; so that the property account, less the depreciation reserve, shows the net investment or the remaining property cost applicable to future operation.

A different course, however, may be pursued, giving the same net result. Instead of accumulating past depreciation in an off-setting reserve to be deducted from the property account to show the net investment, the annual depreciation allowance may be credited directly to the property account without a separate showing of reserve. By this method, the property account would itself show the investment (original cost less all accrued depreciation), instead of the original cost as in the more usual procedure. Which particular course is adopted depends upon individual preference, but in either case the fundamental consideration is that all accruing depreciation is first included in operating costs and is then made deductible from the property account (either by way of a reserve or as a direct deduction from the account).

From the above brief analysis, it will appear that past depreciation may be reflected in the balance sheet in one of three ways:

(1) As a depreciation reserve on the credit or liability side of the balance sheet; to show the net investment the amount of the reserve has to be deducted from the property account on the assets side.

(2) As a reserve deducted from the property account on the asset side of the balance sheet; there is first the full cost of the property, then the reserve to be deducted, and finally the net property.

(3) As a prior deduction, where the credits are made directly to property account so that the latter shows the net investment directly without the deduction of reserve; the amount of the aggregate prior deductions may be shown in a foot-note as a statistical record; or there may be no reference whatever to any deduction.

These three methods involve exactly the same basic policy of making depreciation allowance in operating cost and showing net investment (original cost less depreciation) as to the property account. If we find among our twenty-two companies any one of the three courses, we know that the depreciation policy is pursued and not the replacement method. But even where no reference appears to any depreciation, a deduction may nevertheless have been made and the depreciation policy followed.

ANALYSIS OF THE DEDUCTIONS

With the above brief explanations, we may summarize the depreciation deductions of the twenty-two companies as reflected in the balance sheet.

Of the total number there are seventeen which show definite provisions for accrued depreciation in the balance sheet. Eight show a separate reserve on the liability side (to be deducted from the property account on the asset side); four show a reserve deducted from the property account on the asset side; four give the *net* property figure in the balance sheet, but present in a foot-note the amount of depreciation deducted; and one gives the net property figure after deduction of depreciation without, however, giving the amount either in the balance sheet or the foot-note attached to the balance sheet. Seventeen companies, therefore, show conclusively from their balance sheets that they pursue the depreciation policy.

WITHOUT BALANCE SHEET DEDUCTIONS

There are thus only five companies out of the twenty-two without any direct balance sheet showing of a systematic depreciation allowance. But analysis of the income accounts and stated depreciation bases, show that three of the five nevertheless make regular depreciation provisions, so that at most there are only two companies without depreciation policy. And as to these, there may be merely an absence of sufficient information.

The two companies are: (1) The Transcontinental Oil Company (Vol. II, p. 1833), and (2) Swift and Company (Vol. II, p. 1223). The first has total assets of $221,216,000 with a plant and equipment account of $209,958,000. It presents no statement of policy and presents no figures for depreciation in the income account, balance sheet, or otherwise. Its only reference to depreciation is in the title of a column in the income account "Operating expenses and depreciation of oil stocks." The meaning of this is obscure; it probably refers only to depletion of oil wells and does not include depreciation of plant and equipment. Apparently this company does not pursue the depreciation policy; and yet it may do so by including full charges under the above title and by deducting the amounts directly from the property account without any foot-notes or other explanations.

The second company has total assets of $337,864,000 and a property account of $89,423,000. As in the preceding case it makes no statement of policy and indicates nothing in the income account; but in the balance sheet it gives on the liabilities side $10,819,000 under the title of "General Reserves." The purpose of this reserve is not further explained, but it is hardly adequate to reflect a systematic depreciation allowance; yet it may be intended for this purpose.

The other three companies without indicated balance sheet deductions for depreciation, were: (1) Armour and Company, (2) Westinghouse Electric and Manufacturing Company, and (3) the Ford Motor Company.

The first gives no statement of policy, but it reports a separate charge of $7,972,000 in the income account for depreciation. This demonstrates that the depreciation policy is used and that, therefore, the amounts are directly deducted from the property account without recorded explanation. The second presents a general depreciation policy, with varying rates according to the class of property, averaging 3 per cent per annum for buildings, and 7½ per cent for machine tools. Under the income account it gives an explanatory note that the "factory cost" deducted from "sales" includes "all expenditures for patterns, dies, new small tools and other betterments and extensions also depreciations of property and plant." While there is no indicated balance sheet deduction, there can be no doubt that a liberal depreciation policy is followed, and the deduction is made directly from property account without reported explanation.

The third case is the Ford Motor Company, for which the report is extremely meagre because it is a closely held corporation. There is no statement of policy, and no income account at all. There is a summary balance sheet as of February 28, 1923 and 1924. For the latter year there is no indication as to any depreciation deduction. But for 1923, there was a "depreciation and amortization reserve" of $62,576,000 on a total property account (real estate, machinery and equipment) of $140,790,000; or about 44 per cent of accrued depreciation. What happened to this large reserve in 1924 is not explained; it may have been deducted directly from property account or in the summary statement may have been merged with the surplus account. But there can be no doubt that the company has pursued a liberal depreciation policy; and in all likelihood is continuing the same course.

THE RENEWAL POLICY

It is interesting to note that among the companies with a depreciation reserve in the balance sheet, is E. I. Du Pont de Nemours & Company, which states its depreciation policy, but explains that its main purpose is to provide a fund for obsolescence, and that its practice is to charge repairs and renewals to operation and not to the reserve. Its depreciation rates, however, include all permanent assets except real estate, and amount to 3 per cent per annum on buildings and equipment; special equipment 20 per cent; automobiles 30 per cent; auto trucks on a conservative mileage basis; portable magazines on leased lands 10 per cent and permanent 8 per cent; no depreciation on magazines on owned lands, as appreciation on real estate more than offsets depreciation on buildings.

These are fairly liberal rates, and appear strikingly so when coupled with the practice of charging renewals directly to operating expenses. Moreover, it should be observed, the depreciation charges are designed particularly to meet obsolescence, while the public utility companies urge as one of the main reasons against the depreciation policy the alleged difficulty or impossibility of determining obsolescence.

In the income account the company gives no separate figure for depreciation charges, but in the balance sheet it gives a reserve of $17,524,000 as compared with a property account of $111,985,000. But the property account has been built up rapidly in recent years ($65,746,000 in 1919); it would seem, therefore, that the reserve is adequate to meet not only obsolescence but depreciation due to all causes, and that the company should be grouped with those following a conservative depreciation policy.

THE GENERAL ELECTRIC COMPANY

Except for undue length, it would be interesting to analyze the figures of a number of the best known companies to show their extreme care to provide for old property contingencies and to safeguard their investment.

One instance however must be presented—the General Electric Company. It reports total assets of $373,567,000, but a property account (factory plants) of $57,869,000 after deducting reserves $111,618,000; the total property cost is thus $169,487,000 and the reserve amounts to 66 per cent. Besides, however, there is a "General reserve" of $14,447,000; a "Reserve for pension payments" $2,150,000; and on top of all a free surplus of $82,762,000.

This company pursues the depreciation policy and a general financial course to a degree of conservation which would hardly be urged upon public utility companies. But its connection with public utilities is direct and intimate. It is not only the leading manufacturer of equipment for public utilities, but through its subsidiary the "Electric Bond and Share Company" it finances, controls and manages probably the largest system of electric light and power companies in the world. Whatever position these particular utilities may take on the question of depreciation policy *versus* the renewal method, the ultimately controlling and managing company, which itself is not subject to public regulation, sets a high example of what is right and proper—that there is depreciation and that it should be provided for through charges to operation.

In conclusion, there can be no doubt that the large industrial corporations, with almost negligible exceptions, do recognize the force of depreciation and provide for it systematically and adequately in the charges to operating costs and in their reserves or deductions from property account. We have here the best measure of sound and approved policy established solely through experience in promoting economy and financial stability, and not affected by public regulation where the admission of the idea of depreciation might affect the basis of return to the company.

If, therefore, we are seeking the best established practice, uninfluenced by any conflict between the utilities and the public, we should adopt the depreciation policy of the large industrial corporation and apply it to the utilities.

GOVERNMENTAL RESEARCH CONFERENCE NOTES

EDITED BY ARCH MANDEL

Philadelphia Bureau of Municipal Research.—Clarence G. Shenton of the Philadelphia Bureau has been appointed director of the Thomas Skelton Harrison Municipal Trust. He retains his position as assistant director of the Bureau.

The Harrison Municipal Trust was founded by the will of Thomas Skelton Harrison of Philadelphia, who died in May, 1919. The income from the trust fund is placed at the disposal of seven trustees to be used for certain civic purposes enumerated in the will. Thomas Raeburn White, Esq., is chairman of the trustees.

The trust has been functioning in the civic field for about a year. At present it is interested in three surveys. One is a study of the minor judiciary of Philadelphia; the other has for its purpose ascertaining the extent and number of charitable trusts in the county of Philadelphia; the third is the survey of the municipal court, which is being financed by the Harrison Trust, although the Bureau of Municipal Research is doing the work as its agent.

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Municipal Research Bureau of Cleveland.—Leyton E. Carter, director of the Municipal Research Bureau of Cleveland, has been appointed executive secretary of the Joint Legislative Committee on Economy and Taxation of the 86th General Assembly of Ohio.

This committee was created to undertake a study of the tax system in this state, and ways and means of securing greater economy in the operation of the various governmental units.

Mr. Carter will retain his connection with the Cleveland Research Bureau, but will spend a considerable portion of his time during the next year in supervising the various studies and investigations which the committee will conduct preparatory to making recommendations to the legislature at its next session.

The scope of the committee's powers under the resolution are similar to those given to the well known joint committee on Taxation and Retrenchment of the New York state legislature.

National Institute of Public Administration.—A grant has been received by the National Institute of Public Administration for the purpose of making a study of rural crime control. This will be the second study made by the Institute on this general subject. The first was a study of state police systems, which will appear shortly as a publication of the Macmillan Company under the title of "The State Police; Organization and Administration."

The National Institute of Public Administration has undertaken the publication of a number of studies in public administration. These studies will appear from time to time as the manuscripts are completed. They will deal largely with subjects of a special nature. It is hoped through these studies to present information which will be helpful to public administrators, specialists, students, and others interested in particular phases of public administration.

Paul Studensky, formerly director of the State Bureau of Information of the New Jersey State Chamber of Commerce, has been added to the staff of the National Institute of Public Administration. He is preparing a book on Municipal Pension Systems in the United States.

A study on the Custody of State Funds, by Martin L. Faust, is now in press and will shortly appear. This should be of interest to state and municipal financial officers. Copies may be secured by addressing the National Institute of Public Administration.

The 1925 report of the New York State Joint Legislative Committee on Taxation and Retrenchment is also in press. Luther Gulick, director of the National Institute of Public Administration, served as special counsel to the committee and chief of research staff. The report deals largely with the question of state aid for schools, but also discusses: The growth of state expenses; state aid for highways; distribution of state taxes to localities; the growth and burden of taxation; the distribution of taxes as between real estate and income; sources of municipal revenues; state gasoline tax and other matters of state and local taxation. Requests for copies should be addressed to Mr. Gerald Casey, State Capitol, Albany, New York.

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Taxpayers' League of St. Louis County.—Bob Kerr, who has been a member of the staff of the Taxpayers' League of Duluth since 1922, has severed his connections with the league to enter business with a real estate and building construction firm in Fort Lauderdale, Florida.

An eight hundred thousand dollar bond issue being put up to the voters by the Duluth board of education is being opposed and fought by the Taxpayers' League, because it feels that the board of education has not sufficient facts at its disposal to know how to apply the money to the best advantage. The situation is particularly serious because this eight hundred thousand dollars exhausts the present bonding ability of the school district, and it will be several years before another margin of like amount will be available. A year ago a million and a quarter was voted for school buildings, of which ninety per cent is being spent on high schools. A survey by the Taxpayers' League showed the most urgent need to be elementary school facilities.

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Kansas Institute of Public Service.—The Kansas City Public Service Institute has two principal projects under way at the present time. First, it has started a study of county government, and second, it is aiding in the work of the Kansas City Public Improvement Association which is preparing a bond program.

The Kansas City, Kansas, Chamber of Commerce is planning the establishment of a bureau of public efficiency and research, to be operated as a division of the Chamber of Commerce. In a report to the members of the Chamber of Commerce, the committee which is recommending the project reported in part as follows:

> The proposal to create this bureau is to localize, so far as it is practicable to do so, the policies outlined by President Calvin Coolidge to increase the efficiency of government and reduce the tax burden.
>
> There is no other subject which has engaged the attention of so many people since the end of the world war as that of taxes. Every public official, the congress of the United States, the state legislatures, and on down to the smallest political unit, realize the necessity of reducing the tax bill.
>
> Every taxpayer recognizes that he should pay his just share of the cost of conducting government, but he has a right and should know that his money is wisely used.
>
> In approaching the question from a local standpoint, the board of directors of the Chamber of Commerce has suggested that as a means of obtaining accurate and dependable information regarding the expenditure of public funds, a Bureau of Public Efficiency and Research be created, such bureau to be in charge of a committee appointed and approved by the board of directors of the Chamber of Commerce and composed of men capable and of such character and dignity that the public would have absolute confidence in their work. Some of the functions of such a bureau would be:
>
> 1. Employ the services of a trained research director, who would, through constant study of local conditions, develop fact information which would assist the committee in their decisions.
> 2. Continually examine and study the methods employed by our three taxing bodies; namely, the city, the county, and the board of education, and, based on the facts ascertained, recommend to the public officers where economies can and should be effected.
> 3. Study all proposed major public improvements with the view in mind of determining the necessity of such improvements. If the improvements are necessary, a study of cost and the method of financing will be considered, and perhaps through inspection of the work as it progresses the interest of the taxpayer will be properly safeguarded.
> 4. Co-operate with the city, county, and school authorities in the preparation of the annual budgets, and recommend where changes can be made to effect savings and reduce the expenses.
> 5. Study and make reports on the condition of the sinking funds to insure the retirement of bond issues when they become due.
>
> The cost of operating such bureau would be approximately $8,000 for the first year. The Chamber of Commerce budget for this year has been made up and will not permit of financing this work out of the general fund.

The Chamber of Commerce proposes to finance this work by a contribution from each member of approximately $10.00 for each membership held. A vote of the membership on the plan is now being taken.

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Institute for Public Service, New York City.—In the spring of 1925 the director closed his work as chief assistant on the Co-operative and Constructive School Survey of the New York public schools. Several hundred principals and teachers and other officers have been working on different committees named by Superintendent

William J. O'Shea to consider the various findings, facts, and recommendations made by the field surveyors and consultants: L. R. Alderman, formerly of Oregon and Portland, now of U. S. Navy; A. N. Farmer of Wisconsin rural school; Prof. R. H.; Jordan of Cornell; A. L. Weeks, architect-engineer for school buildings; Dean J. W. Withers, New York University; E. A. Fitzpatrick, graduate dean, Marquette University; and S. A. Courtis, Teachers' College, Dayton; also Superintendents Benezet of Manchester, N. H.; Hartwell of Buffalo; Holmes of Mount Vernon; Broome of Philadelphia; Corson of Newark; Payson Smith of Massachusetts; Stetson, of Dayton.

Three separate referenda to thirty thousand teachers and officers brought forth a vast amount of significant data which have been compiled and submitted to committees for study. These referenda related to school high spots, each school by districts and each general subject; low spots also by each school and district; and eliminations from the course of study recommended by teachers and officers. The gap between teaching judgment and supervision judgment was illustrated in one district where of five hundred and ninety-two eliminations urged by teachers and principals, only two were approved by the district superintendent.

As the survey was of the build-as-you-go type, numerous constructive steps were taken during the survey by both business and educational heads. This coming year the Society for Experimental Study of Education is to give its general sessions and several of its section meetings to constructive lessons from the survey.

The Institute has sold its three current topics magazines—*Looseleaf Current Topics*, the *New York City Edition*, and *People and Places in Current Topics*—in order to be free to take up non-partisan, governmental research and publicity work during the ending campaign and perhaps the following one. William C. Blakey, who has been with the Institute since 1919, goes to the new company as promoter of the method of teaching current topics which has been represented in the Institute's publications.

Thus far in the municipal campaign, the institute has put out eight releases entitled "No Matter Who's Elected," one of which, printed in part conspicuously by the *New York Times*, gave the results of eleven answers by out-of-New York governmental researchers to the question whether, as the New York United Republicans had said, New York City's government was now indecent and a "byword of misrule among American municipalities." Among eleven governmental researchers from a distance, two, one in Philadelphia and one in Dayton, stated that their impressions were too indefinite to justify an answer; nine others declared that they did not consider New York's government indecent or a byword of misrule, that in general they would rate it fair in comparison with other cities, and specified departments which they understood to be below and above the average in American cities.

NOTES AND EVENTS

City Manager Koiner Resigns.—C. W. Koiner, manager of Pasadena, California and president of the City Managers' Association, resigned his position on July 1 on a question of principle which involved directly the fundamental basis of the manager form of government. Following the election of four new members of the board of directors, an ordinance was prepared dividing the administrative organization into seven departments placing one member of the council (known locally as the board of directors) in charge of each department. Under this arrangement the manager would have to secure the approval of the appropriate councilman before he could appoint or remove any employe in that councilman's department.

Mr. Koiner believed that this opened the gate to the spoils system and brought about a division of responsibility foreign to the manager plan. He very properly resigned and Pasadena has lost the services of a leader of the profession.

It is unfortunate that the city charter did not provide more specifically for the duties and powers of the manager. Under the old board of directors, the city enjoyed the benefits of the plan in its true form. The board remained a policy determining body; the manager was in charge of administration and was clearly held responsible therefor. But the new board was determined to change this.

John G. Stutz.

◆

Career Man as Chief of Police.—William Alden Wiltberger, graduate of the University of California and the Berkeley, Calif., Police School, has been appointed chief of police at Evanston, Ill. The appointment took effect on July 1, 1925.

In making this selection the mayor of Evanston, Charles H. Bartlett, has set a fine example. The mayor started out to find the best man available for the vacancy who had had both theoretical training and practical experience. He consulted with a number of authorities in criminology, police administration and social service. Among these were Dean John H. Wigmore of the Northwestern School of Law, Dr. Herman M. Adler, criminologist of the department of public welfare of the state of Illinois, President Walter Dill Scott of Northwestern University and Joel D. Hunter, general superintendent of the United Charities of Chicago.

After the mayor had decided that Mr. Wiltberger was the best candidate for the position, in order to make his appointment legal two new police ordinances were passed by the city council. One of these defines the duties of the chief of police and the other sets up certain technical requirements for the position.

Mr. Wiltberger studied police problems under Chief August Vollmer of Berkeley. At the University of California he specialized in criminology and took courses in criminal investigation, police administration, hand writing, medicolegal problems.

◆

International Union of Cities.—Paris Congress.—Senator E. Vinck of Belgium visited the United States during July to arouse interest in the Paris Congress and to organize American representation in the union. Harold S. Buttenheim has been placed in charge of arrangements for the American delegation to the congress and following a luncheon given by him in New York a committee has been organized to consider what part we should take in the International Union.

The conference in Paris in September will be held under the auspices of the City of Paris, the Department of the Seine and the French Government. It will be opened in the Hotel de Ville of Paris and will be continued in the Sorbonne. Officials receptions are announced by the government, the department and the city during the weeks' conference (26th of September to 4th of October) where ladies and other visitors accompanying the delegates will be admitted.

An excursion will probably be organized starting from Paris the 4th or 5th of October to visit Lyon and the important electrical exhibition (white coal) at Grenoble.

During the week's conference visits will be organized to places of municipal interest, electrical plants, inexpensive housing blocks and colonies, garden suburbs, bathing pools, etc.

On the agenda of the congress, besides the reports concerning the international and the national unions there are three question; of universal interest:

1. Municipal local autonomy.
2. How local authorities can help to solve the housing problem by having a land policy.
3. How have the difficulties of governing metropolitan regions been solved?

It will be the most representative gathering of municipal authorities ever seen in the world.

The International Union of Cities which is too little known in the United States is already functioning in a useful manner. The purposes of the organization are as follows:

1. The frequent organization and direction of international congresses on municipal affairs.
2. The maintenance of a permanent office for research and information on municipal matters throughout the world.
3. The establishment and development thereby of inter-municipal relations which will create a national bond between local authorities and between national associations.

Stephen Child has been representing the United States in the International Union for the past two years. Following Senator Vinck's visit renewed activity resulting in more definite coöperation on our part may be expected.

✣

Washington, D. C., Held Liable for Failure to Light Its Streets.—The primary duty of a city to maintain its streets in a reasonably safe condition for travel is emphasized in the case of *Berberich* v. *District of Columbia* (not yet reported) recently decided by the District court of appeals. The action was brought to recover damages for the destruction of the plaintiff's automobile which collided with a supporting column of the viaduct of the Baltimore and Ohio Railroad, where it crosses Rhode Island Avenue in the city of Washington. The complaint alleged negligence of the defendant in failing properly to light the under-pass, so as to call the attention of travelers on the road to the existence of the columns. The accident occurred about seven-thirty o'clock on the evening of November 24, 1920. The night was dark with considerable fog and mist, and there was no light to indicate to the plaintiff, traveling westerly, the location of the column, which stood in the direct path of his approach. The driveway, as it nears the column, curves to the north to give clearance to a vehicle, while the street car tracks continue in a straight line south of the obstruction. The plaintiff who was unfamiliar with the situation, was following this track as a guide and crashed into the column, demolishing his car.

The defence based its claim to the immunity of the District upon the familiar doctrine that in establishing street lights a municipality exercises a quasi-judicial or governmental function, and that the non-exercise or error in the exercise of this function is not actionable negligence.[1] The plaintiff rested his case upon the primary obligation imposed upon the municipality to keep its streets in a reasonably safe condition for travel, which principle, since the decision in *Storrs* v. *Utica* (1884), 17 N. Y. 114, has been extended to cover all those cases in which, because of some defect, excavation or obstruction, the placing of lights is in fact necessary to render the street reasonably safe under the unusual conditions. This extended principle applies equally in cases where the duty of guarding or lighting is imposed upon third parties by ordinance or by contract, unless in such a case the state by statute has expressly granted the municipality exemption from liability.

The defence further relied strongly upon the case of *Wolff* v. *District of Columbia* (1904), 196 U. S. 152, an action for damages to a pedestrian stumbling over a stepping stone at the curb, which was not visible because of insufficient lighting; in which case Justice McKenna in his opinion stated that: "The duty of a city to especially illuminate a place where an object is, or to put a policeman on guard by it to warn pedestrians depends upon the object being an unlawful obstruction." This statement, even if limited to pedestrians, was unnecessarily broad and not essential to the decision in the case.

Justice Van Orsdel in his opinion in the instant case, affirming a judgment in favor of the plaintiff, in holding that the District was liable in failing to provide lighting at the place where the accident occurred, used the following words:

> It is contended by counsel for the District that the municipality is not charged by law with so maintaining its public highways as to safeguard against all accidents. In other words, it is not an insurer against accidents on the public highways. Stress is laid upon the contention that the viaduct is a lawful structure and that no claim is made that it was a dangerous obstruction

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[1] *Randall* v. *Eastern R. R. Co.*, 106 Mass. 267; *Lyons* v. *Cambridge*, 136 Mass. 419; *O'Rourke* v. *Mayor of New York*, 17 App. Div. 349.

> in the day time—the complaint being confined to the conditions existing in the night time. While the adoption of a system for lighting the streets is undoubtedly discretionary with the authorities charged with the duty, plaintiff's claim is not grounded upon a defective system; but rather upon a defect in the system at the point where the accident occurred. However perfectly the city at all other points may have been illuminated, it is asserted that at this point of the street the lighting was inadequate as to create a dangerous situation, the maintenance of which amounted to negligence.
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> It is settled law in this District that the commissioners being charged with the duty of maintaining the streets in proper condition are chargeable with negligence in allowing the streets to become unsafe. Unsafe conditions may result from improper ligoting as well as from defect in the street, and the degree of lighting required will depend upon the existing conditions. In the present case, as clouds and mist settled in wet and damp weather about this viaduct, the District was charged with the duty of meeting this emergency by proper and sufficient lighting facilities. . . . The jury therefor was not required to pass on the number and character of the lights, but from the evidence whether the lighting at the time of the accident was sufficient to make the place reasonably safe.

The language of the court, if limited in its application to the facts of the present case, where an unusual obstruction, lawful but dangerous at night, is erected in a public street, is supported by the great weight of authority. Whether or not the temporary or permanent conditions in the roadway are so dangerous at night that the absence of lights at the given locality will import negligence per se,[1] the failure to provide proper lights to warn the traveler by night against obstructions or excavations in the highway, of which the city has notice, should be evidence to go to the jury upon the question of the negligence of the city authorities in discharging their duty to keep the streets reasonably safe.[2]

C. W. Tooke.

◆

British Civil Service.—Two significant statements were recently made on the subject of the status of the civil service in England and entered on the pages of the provincial servant known as the Institute of Public Administration. The first statement was made by Professor Keynes, who characterizes civil service past and present and outlines a few possibilities in the following words:

> The growth of this sort of problem is making it increasingly important that the civil service should be in the future, as it has been in the past, the flower of the nation. On one point—apparently a detail—I think something really dangerous has been allowed to happen during the period since the war was over. In pre-war the Class 1 examination was one of the alternative careers for the minds of the abler students in the universities of the country. There was a tradition attaching to it, there was a routine about it, so that anyone was easily informed as to the facts, and that Class 1 Examination was instrumental in drawing into the service fully its fair share of the best brains of the country; but for reasons which are well known, since the war there have been virtually no vacancies, and the continuance of that state of affairs over a number of years has broken the tradition. . . .
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> I am an ordinary resident of the University of Cambridge, and I find that the civil service is no longer one of the things an able young man naturally thinks of. I think it will not be very easy to re-create that tradition; I think it will be most disastrous that it should not be re-created. I should like to impress very strongly upon the responsible heads of the civil service who may be here, that even though it may be going a bit above their establishments for a short time, they might offer for competition at the Class 1 Examination a substantial number of attractive vacancies in the government offices, that there should be ten or a dozen first-class appointments announced as falling vacant in each of the next five years, so that those looking forward to a career of this kind can lay their plans accordingly. If the number of vacancies slowly increases and no particular steps are taken to impress upon young men that there lies a career open for them, there is a great risk of serious interruption to the pre-war tradition connecting the civil service with the source of the best brains in the country, and if that happens the types of administrative problem which you have to consider to-day will not be handled as they should be. The continuity, the flow, from the Universities into the civil service is a matter of the highest importance to the future conduct of the state.

The second statement was made by Viscount Haldane of Cloan he indicates the purposes of the organization of public servants, namely the Institute of Public Administration, as follows:

> You will remember that we said at the beginning to ourselves, that we did not wish to make this like a mere organization for looking after the interests of public servants; it was rather to be an educative body which would produce something, find in the state something that would contribute to the strength of the commonwealth, something that would maintain, not only a high, but an increasingly high level. In that sense our work was to be educative, higher degrees reached successively in the training of the mind as a guide to the service of the state. For

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[1] *Chicago* v. *Powers*, 42 Ill. 169.

[2] *Williams* v. *Washington* (Ga. 1914), 82 S. E. 656; *Wallace* v. *New Haven* (Conn. 1909), 74 Atl. 886; *Ross* v. *Hoffman* (Kan. 1925), 269 S. W. 679.

that purpose it was plain that, although the professors could not solve our problems, or even help us much by laying down abstract principles, they could yet stimulate us very much by holding up a high ideal in reflection and research, and for that reason at an early stage we decided to seek the counsel of the Universities to try to cooperate with them in training, and to get them to assist us in training specially in administration. Well, that has been done. There was a conference at Oxford last July, which was a fruitful one. There is another coming about at Cambridge before long. We have done work with various of the new Universities and some old ones, with Manchester, with Liverpool, with Leeds, Sheffield, the Newcastle side of Durham, with Edinburgh, with Glasgow, and there more and more it is apparent how this subject of administration and its principles are showing themselves to be a true University subject, and that the activities of the University are beginning, though it may be slowly, to extend to this, as has been the case in regard to London, and as we hope to see them extend all over the country, for our organism is one which we hope will penetrate the national life as the Universities penetrate it now." (Monthly notes-Institute of Public Administration.)

William E. Mosher.

✣

Home Rule Amendment Declared Void in New York.—Out of a clear sky on July 6 came a decision declaring that the home rule amendment, adopted by the people of New York state in November of 1923, was null and void. More than a year and a half had elapsed since the passage of the enabling act, and at least two hundred local laws had been passed by the more than two score cities in the state, but all of these become at once null and void if this decision is to be sustained. It should be noted in the first place, however, that this is not a final adjudication. The appellate division of the supreme court stands midway between the supreme court, really a court of inferior jurisdiction, and the court of appeals, which is the court of last resort in New York state. Steps have already been taken to bring this case to the higher court, but it is unlikely that that court will render a decision before fall. It should also be borne in mind that this decision was rendered by an unanimous court of five judges, and the court of appeals will certainly be loathe to reverse a decision from such eminent and united authority.

This decision in the case of *Brown* v. *Board of Estimate* involves nothing with regard to the principle of home rule itself. The case turned not on a home rule question, but a constitutional one. The amendment is declared void solely because of an irregularity which the court finds in the procedure by which it was submitted to the people.

In New York state a constitutional amendment, after being passed once by the legislature, is laid over "and referred to the legislature to be chosen at the next general election of senators and shall be published for three months previous to the time of making such choice." After passage by this second legislature, it is submitted to the people.

The home rule amendment of New York state was passed by the legislature for the first time at the 1922 session. At the same time, a minor amendment to the same cities article, which the home rule amendment proposed to displace, was being passed for the second time. The latter merely provided that local bills, which in New York were formerly subject to the well-known "mayor's veto," should be returned "*to the clerk of*" the house in which they originated, rather than to the house itself. This procedural amendment was duly ratified in November, 1922. At the next session in the spring of 1923, the home rule amendment was passed for the second time. It was submitted that fall and ratified by an overwhelming majority. It is admitted that there was no technical irregularity in the passage of the home rule amendment, except that it was not entered *in extenso*, as the court believes it should have been, on the journals, but in this respect it does not differ from any of the other amendments to the New York constitution passed within the last thirty years. It is certainly not unreasonable to suppose that this uninterrupted usage has established a "practical construction."

The bulk of the decision is concerned with a much more elaborate point. In the complicated procedure set forth in the constitution the court discovers the theory that an amendment really comes before the people twice. The first occasion is after its original passage by the legislature. The people are then concerned with the amendment when they elect the new legislators. Their final action comes when the amendment itself is put before them for adoption. The court argues, therefore, that both the procedural amendment and the home rule amendment were before the people in 1922, and that the action of the people in adopting the procedural amendment, in the process of which the whole section in which it was being inserted, was repeated, the people reaffirmed that entire section. By this action the pending home rule amendment, the court finds, was "abated and deprived of all vitality."

The court admits that this amendment "did not make an extensive change in the constitution," but insists that it was "material." "It was regarded as of sufficient importance to submit to the people for their approval. Nothing contained in the constitution can be regarded as unimportant or unessential." The court goes further and says that "from a constitutional standpoint the situation is no different than it would have been if the section had been changed in its entirety." The result is that the constitution referred to in the enacting clause of the resolution carrying the home rule amendment in 1923, was "an entirely different constitution" from that which existed in 1922. Though this last statement may seem a bit extreme as applied to four words, the point of the court is certainly clear. The court cites numerous authorities but none are in any sense analogous to the situation here presented. They all support the contention, which few would be disposed to challenge, that the court may pass upon the validity of an amendment and that the procedure laid down by a constitution is mandatory in its fullest detail.

The attack upon this decision may follow either of two lines. It may insist that the court is really adding to an already elaborate and difficult amending procedure, a new requirement that is certainly not clearly set forth in the present language, or it may concede the soundness of the corollary derived by the court from its analysis of the intent involved in the double passage through the legislature, but contend that such an intervening amendment must be important and material in order to have such nullifying effect upon a contemporaneously pending amendment.

From the broader, non-legal standpoint, it certainly seems unfortunate that an important reform, concerning which the people had spoken so decisively, should be overset on such a narrow, fine-spun point. If the court of last resort agrees with this decision, it will be at least three years before home rule may be again set in operation in New York state. It is true that the operating during the period of slightly more than a year since the passage of the enacting act has not been conspicuous, but it has been generally good. The cities of the state were just coming to realize their powers and commencing to exercise them when this decision came.

As has been pointed out in several occasions in the Review the New York home rule experiment is important, not merely because of the size of the state and the number of its cities, but also because of the character of the amendment itself. Though there has been some disposition to complain of its vagueness, in many respects it is among the most logical and best thought out in the country. If a long and difficult campaign for its readoption must be undertaken anew, and at the earliest it could not be restored before 1928, at least some lessons may be derived from one year of practical experience.

Joseph McGoldrick.

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The Financial Effects of the New York Home Rule Decision.—Whether the decision of the appellate division of the supreme court of New York voiding the home rule amendment will affect the finances of the state and the municipalities, and to what extent, depends not only on whether that decision is upheld by the court of appeals, but also on what grounds this supreme judicial authority bases its concurrence. For, while Justice Burr's opinion, following the argument of Mr. Louis Marshall, stressed the fact that there had been a change in the article affected by the popular approval of another amendment after the legislature had adopted the home rule amendment for the first time, he gave as an additional reason for considering the amendment void "the failure of the senate and assembly to enter the proposed amendments in their journals with the yeas and nays . . . " This he deemed "an essential prerequisite to a valid amendment by the express terms of Section 1 of Article XIV of the constitution, which declared 'and if the same (an amendment proposed in the senate and assembly) shall be agreed to by a majority of the members elected to each of the two houses, such proposed amendment or amendments shall be entered upon their journals, and the yeas and nays taken thereon, and referred to the legislature to be chosen at the next general election of senators.' " He pointed out that this requirement was not complied with by either branch of the legislature.

The attacks on the decision have been centered chiefly upon its narrow technicality because of the comparative triviality of the change in the wording of the article in question. The financial effects resulting from the decision's being upheld on the principle therein involved, however, will be of slight consequence as compared with those arising from agreement based on the "additional reason." If the former point alone is sustained, only the sinking funds of the state would be affected. They would have to be restored to the extent called for by the methods of computing the annual instalments required by the laws in force under the previous constitutional provisions. Should the latter point be sustained, however, it would apparently void every amendment to the constitution submitted since its adoption in 1894.

The provisions in which we are interested are Article VII, dealing with the bonding power of the state, and Section 10 of Article VIII, dealing with the debt limits of cities. Both have been amended in very important particulars within the last 20 years.

In 1905 Article VII was amended to increase the term of bonds issued by the state from 18 to 50 years. The provision prohibiting the submission of a bond proposal together with a constitutional amendment was abrogated. Another important change was the provision that when the sinking fund became equal to the amount of the debt for which it was created no further direct tax needed to be levied on its account, but the tax might be reduced merely to care for the interest requirements. It was likewise provided that no direct tax need be levied if there was sufficient money in the general treasury to meet interest and sinking fund. Debts for highways not to exceed $50,000,000 at any one time were authorized without submission to the electorate, as is otherwise required. In 1918 bond issues were limited to terms not exceeding the probable life of the work or object for which contracted with a maximum of 50 years, and the issue of serial bonds was made permissive. The Sage Amendment of 1920 made serial bonds mandatory thereafter and gave the comptroller the power to use any available funds to redeem them if the legislature failed to make an appropriation for the purpose. Thereafter sinking fund contributions were to be on a 3 per cent actuarial basis and provision was made for the absorption of the surpluses which had grown up in the sinking funds of the state by a reduction of the instalments and the application of the available amounts to the interest requirements. In 1923 the creation of a debt of $45,000,000 was authorized to permit the payment of bonuses to war veterans.

Article VIII, Section 10, was amended in 1905 to exclude bonds issued for water supply after Jan. 1, 1904, from the computation of the debt limit of New York city. The amendment of 1907 similarly excluded water bonds issued by second class cities and that of 1909 those of the third class. It was in 1909 also that, in order to make possible the building of the dual subway system, there was excluded from the debt limit bonds issued by New York city for self sustaining revenue producing improvements. In 1917 another slight change was made to exclude from the debt limit the water bonds of the other first class cities as well as of New York city.

A reading of this list of important changes is sufficient to indicate the tremendous financial interests involved and the chaos likely to result if they should be rendered null and void. The legality of practically every bond issue of the cities and of the state since 1905 would be called into question. Their fate depends upon how the court of appeals will view the necessity for the proposed amendments being entered on the journals of the senate and assembly after they have been adopted for the first time. Such study as has been possible in the short time available indicates that the legislature has failed to comply with this requirement of the constitution. In the early years the assembly journal carried the text in full, whereas the title only was published in the senate journal. The situation was reversed in the later amendments, the senate journal printing the full text and the assembly journal only the title. As for the bonus amendment, passed in 1922 and 1923, both senate and assembly journals refer to it by title alone.

Should the court of appeals deem this prerequisite so plainly called for by Article XIV of the constitution nonessential, but nevertheless uphold Justice Burr's decision because of the adoption of an intervening amendment, the situation will not be at all serious. The only amendment affected would be the Sage Amendment of 1920, passed under circumstances similar to those surrounding the adoption of the home rule amendment. The changes, indeed, were much more material than those involved in the home rule amendment.

In the main, however, as was seen above, it merely made mandatory what was already permissive, the use of serial bonds. The only provision affected, therefore, would be that providing for the actuarial calculation of sinking fund instalments and the absorption of the surpluses in the funds, which would thus have to be restored. To determine exactly how much is involved would require considerable analysis and calculation. It can be roughly computed, however, from the fact that the appropriations for debt service dropped from $15,584,817 for the fiscal year 1921 to $11,476,517 for 1922, a decrease of slightly more than $4,000,000 a year or approximately $20,000,000 for the five years which have since elapsed. It may thus be necessary to provide this amount immediately.

The state comptroller's most recent statement indicated a free surplus of $23,280,889 at the close of the last fiscal year. The necessity for transferring the above sum to the sinking funds would reduce this surplus to about three millions. As the appropriations for 1925–1926 are some five million dollars in excess of the estimated revenues for the year, and an even greater deficit is already apparent for the following fiscal year, a search for new sources of additional revenue for the state may be forecast.

T. David Zukerman.

◆

Recent Developments in the Home Rule Case.—Since the two preceding notes were written there have been some interesting developments with reference to the validity of the New York home rule amendment. Immediately after the appellate court overturned the home rule amendment, as noted above, the case was carried to the court of appeals and will be heard early in September. Following this action, the New York State Home Rule Commission announced its discovery of a legislative flaw, which in the opinion of the commission restores the validity of the home rule amendment despite the decision of the appellate division of the supreme court that the legislation is void. The commission asserts that the so-called "clerk's amendment" was itself null and void at the time it was cited to upset the home rule legislation. This contention will be made in the arguments for a reversal before the court of appeals. Awaiting the opinion of this court, the home rule commission urges that the municipalities affected by the overturn of the home rule amendment should proceed as though the amendment was in full force and effect.

Detroit's Ten Year Financial Program.—Mayor John W. Smith of Detroit appointed two bankers and three manufacturers to prepare a "comprehensive financial program for the city for ten years or more." A "researcher" of the Detroit Bureau of Governmental Research was made secretary of the committee. The report of the committee has been presented and is published in *Public Business* of June 15, 1925.

In approaching its task the committee first received from the departments and commissions estimates of the projects which they believe are necessary within the next ten years. It was found that these totaled $780,000,000 not including $108,000,000 of city planning projects and $112,000,000 involved in port development and super highway plans, all of which were excluded from consideration by the committee. The assessed value of Detroit is $2,775,000,000 or less than three times the amount of the grand total of proposed improvements; and the operation and maintenance budget is now some $55,000,000 including present debt service, or something more than interest, to say nothing of retirement, on a bond issue of a billion dollars. This gives some indication of the scope of the combined projects, of the capacity of department heads and commissioners to dream, and of the need of a budget to serve as a wet blanket. It is this that the mayor's committee on the ten year plan has furnished in ample measure.

Over four hundred million dollars was eliminated immediately by the committee's refusal to include in its program the major city planning improvements and the subway project. Over one hundred million more was eliminated by recommending the postponement of certain projects until after the ten year period. These recommendations were based on a study of the various plans and a classification of projects on the basis of their urgency. The total to be financed was thus reduced to $444,991,000 or forty-four and a half million dollars a year for ten years.

The plan of financing this program may be summarized as follows:

Source	*Amount*	*Per Cent*
Departmental revenues.	$10,085,000	2.2
Special assessments....	63,528,000	14.3
Bonds...............	273,113,000	61.4
Taxation............	98,265,000	22.1
Total............	$444,991,000	100.0

This distribution was arrived at in an interesting manner. In the first place it appears that the decision was reached to issue as many bonds as could be sold within the limits of the New York State law restricting the investments of New York savings banks to bonds of cities whose net indebtedness does not exceed 7 per cent of their assessed values. In the second place it was assumed that street openings, etc. could be assessed to the extent indicated without running afowl of the New York 7 per cent Law. In the third place it was estimated that departmental revenues would contribute some ten millions. And finally it was determined that the total tax rate for the regular city budget plus the tax burden due to the new ten year program must not exceed 2 per cent of assessed values. It appears that $444,991,000 can be made available within these restrictions, on the basis of the committee's estimate of future assessed values, and that the expenditure plan was worked out backwards from this point.

This ten year program for Detroit deserves special attention because very few American cities or states have made a serious effort to look ahead and plan their improvements and finances for a decade. It has been said that the failure to make plans of this character is the chief cause of waste and bad management in American government. So far similar plans have been drawn for Newark, N. J., by the New York Bureau of Municipal Research; for Kalamazoo, Mich., by City Manager Freeman; and for Bluefield, W. Va., by City Manager Ridley. And now comes Detroit.

One who examines the Detroit plan from a distance without any great knowledge of Detroit will naturally wish to ask a number of questions which are not covered in the committee's report. Among these are:

1. What population growth does the committee estimate for the next ten years? Nothing is said on this score though it would seem to have some bearing on the growth of the normal expenditures for city services no less than for the extension of improvements. Certainly it is important in the growth of property values.

3. Is not the committee's estimate of the growth of taxable valuations unduly conservative? The increase estimated by the committee is $225,000,000 a year. While this is an 8 per cent increase now, it is but 4 per cent at the end of ten years. And apparently no allowance has been made for the increase due to better assessments which should materialize in a few years if the committee's own recommendations on this point are followed. And where is the increase in property valuation which will follow the committee's ten year improvement program? Or the growth in the city due to the influx of industry in pursuit of the low tax rates provided by the committee?

3. Why is no consideration given to possible changes in the financial system of the city and state which will open up new tax revenues? The important development of the last decade in the industrial states is the establishment of state taxes part of which is returned to the localities. In New York state where this idea has been carried farthest the state is turning back to the localities for schools, highways and general purposes, half of the taxes and revenues which it receives. This plan has been undertaken to relieve real estate and to eliminate taxes on personal property especially of manufacturers, and because the important new taxes cannot be administered efficiently except on a statewide basis. Is there no need of considering such a change in Michigan within the next ten years?

4. Why is 2 per cent so sacred as a tax rate? Ten years ago 2 per cent on a full valuation for city government sent shivers up the spine. But of course ten years ago the city did not begin to do as much for its people as it does now. To what extent will increasing government services, along the lines of the committee's ten year plans, serve to increase the income and wealth of the people and therefore the proportion of their wealth which they can afford to pay in taxes?

LUTHER GULICK.

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COMMENT

P. R. Wins in Cleveland

In the special election held August 11, the initiated amendment to the City Manager Charter striking out proportional representation method of voting was defeated by a majority of 565 votes. Only 41,271 votes were cast out of a total registration of 212,000.

The amendment was initiated by the Democratic and Republican organizations and the election was called for August 11 when many voters were away from the city. The Board of Elections openly aided the proponents of the amendment; yet the party organizations were defeated on their own grounds and on their own terms.

As soon as the initiated petition was filed, the friends of the new charter organized a Charter Defense Committee and began a vigorous campaign in defense of P. R. Two newspapers, the *Plain Dealer* and the *Press*, supported the committee, while two newspapers, the *Times* and the *News*, supported the amendment.

The chief arguments in the campaign as advanced by the Charter Defense group were: a fair trial for proportional representation; the defects in the proposed amendment; and the effort of the political bosses to get control of the council.

The amendment proposed a return to the 33-ward system of election by a plurality vote without a primary. The proposed ward lines were established on the lines of 1921 which was generally recognized as an unequal division of the city and was declared by the Charter Defense Committee to be a gerrymander. The city manager was in no way involved in the campaign. The proponents of the amendment stoutly declared at all times that they were friends of the city manager form of government and were opposing merely the P. R. method of election.

The P. R. method of voting has been used in only one election. Efforts will now be made to induce additional independent candidates to get into the race for the council before the November Municipal Election.

*

Chicago Wants To Be a State

Chicago, by unanimous vote of the city council on June 24, resolved to secede from the state of Illinois. The resolution so adopted was drawn by Alderman Toman and directed the corporation counsel to give the council an outline of the proper legal procedure by which Chicago could separate from the state of Illinois and seek admission to the Union as another state. The corporation counsel in his opinion, handed to the council on June 30, said that "there is no precise method which must be followed in effecting such a separation," that the initial step might be in the form of a petition to the legislature asking its consent to a separation. His conclusion was "that practically the entire matter, so far as the legal procedure is concerned, rests with the legislature."

The point to the whole thing is that Chicago, in common with many of the other large cities of the country, does not have what it deems its proper proportion of representation in the state legislature. It is asserted that Illinois has not been redistricted since 1901, when Cook County (containing Chicago) had 38 per cent of the population of the state; while the 1920 census showed that it contained 47 per cent. The state legislature has refused to make a new apportionment of representation, in spite of the fact that the state constitution requires a reapportionment after every census. A reapportionment according to Chicago's desires would give Cook County five more state senators and fifteen more representatives. As a sort of comeback at the remainder of the state, it is reported that the Cook County authorities have been holding up tax money due the state on the ground that these taxes are not legal in view of the state government's denial of proper representation in the legislature.

*

Anent Billboards Whether one travels through the mountain passes or upon the treeless plains, one can no longer escape from the billboards. This fact has aroused the ire of lovers of nature and has called forth varied comment from the press. The *New York Times* in a recent editorial, entitled "Battling the Billboards," says:

> Many a traveler is grateful for the news that the Marigold Manor serves griddle cakes with maple syrup, or that rooms at the Outside Inn are from $1 to $16 per day. But even this can be told without recourse to twenty-foot letters and without a picture that is almost as big as the hostelry. Travelers also tire of repeated demands to sample "weenies," "warm puppies," or any of the other forms under which vendors of sausages seek to camouflage their leek-and-leather fare. The same is true of the innumerable post-Volstead concoctions put up in colors designed to lure the eye which are doing such damage to American digestive tracts.

The *Western Municipal News* for June published at Winnipeg, Canada, makes the following comment:

> A lurid and blatant billboard, advertising somebody's soup, soap or stockings, planted close to the road in an otherwise pleasing landscape, is anathema to those beholders who desire harmony in their surroundings. But, in these days of keen competition, when every available inch of space on buildings, walls and hoardings is covered with advertisements, when even the blue sky is used as a background for advertisements written in smoke, it is not likely that the originators of these advertising methods will forego their commercial advantage in order to gratify the beholders' love of beauty. The only procedure left to the æsthetic motorist (if there be such an animal) is to "step on the gas" and hurry past the offending display.

It should be noted, however, that the roads department of the Province of Quebec has issued regulations forbidding posters and commercial advertisements within the limits of the provincial and regional highways and municipal roads which it maintains. This department asserts that such posters are a standing danger to traffic, and that they have often caused accidents. No signs are permitted but official danger and direction signs.

With us, there is a campaign on in the Berkshires, where some of the residents of Lenox and neighboring summer resorts have joined with the Great Barrington Chamber of Commerce in an effort to mould public opinion against the billboardists. The Standard Oil Company of California is reported to be engaged in the removal of 1,200 billboards in the western states. Similar work has already been accomplished in some parts of the East.

LES AFFICHES ELECTORALES

PARIS GAYLY CHOOSES A COUNCIL

BY ROBERT C. BROOKS
Swarthmore College

Professor Brooks, who reported the London County Council election in the June REVIEW, *here reveals the French temperament at elections.*

AMONG the characteristic events of the season—*expositions, salons, révues, fêtes, foires, concours hippiques,* and the like—Paris enjoyed to the full last spring the *opera bouffe* of a quadrennial municipal election. As the trees in the *Bois* and boulevards put forth their foliage of tender green the billboards and blank walls in the various quarters of the city burst out with campaign advertisements of every conceivable color, not only green but yellow, orange, violet, purple,—in short every hue of the rainbow. Like the leaves on the trees these *affiches electorales* began with delicate nuances of color and content but as the campaign progressed, and particularly during the week between the first and supplementary elections, they reached a violence of tone, chromatic and textual, which might well have been thought alarming had it not been so exaggerated, so amusing, at bottom so clearly a part of that spring madness to which apparently politicians as well as all other animate creatures are subject.

CANDIDATES FRANKLY PROCLAIM THEIR OWN FITNESS

At the outset the *affiches* proclaimed with no undue modesty the virtues of their authors, more or less estimable if not eminent gentlemen, who cherished the ambition to represent their fellow citizens in the municipal council. One such effusion, autobiographical of course, although discreetly put in the third person, described the candidate, a radical socialist, as "a firm and reliable republican, capable of collaborating methodically in the realization of all progress, faithful to the ideals of his party and with a spirit open to new truths but with a conscience always on guard against dangerous adventures. A cultivated mind prepared by long experience for the comprehension of all the problems which every day brings forth in the administration of our great city. A man of action who, without undue brutality, puts all his energy and all his tenacity into the accomplishment of results. A scrupulous administrator who never forgets that he is the mandatory of all the voters and that to them he always owes an accounting. An orator, eloquent and well-informed to plead their cause and secure its triumph." Alas for the black ingratitude of republics, the French Republic included; alas for such supereminent gifts, for such astounding capacities, all unused! It is too painful to record, but the author of the foregoing was defeated in the first ballot. As a matter of fact, he ran next to the last of the six candidates in his quarter.

Another aspirant who, however, did not hesitate to use the first person, announced that "all the good, all the true republicans of this quarter will vote for me. No political group controls me; I am independent and I am all the more so because I practice a profession (law) which enables me to live without seeking in politics the means of support. I wish to place at your disposal my combative temperament, my courage and my energy which I derive from my Breton ancestry and from my colonial experience at Madagascar under Marshall Gallieni—qualities which I have already proved myself to possess in Paris during the years 1912 and 1913—witness my fight against collectivism in the Necker quarter."

More modest perhaps, a third stressed his ancestry in some detail, adding a touching "dere peepul" appeal as follows: "Born in this quarter, a property owner in it since 1922, associated for twenty years with the jewelry firm which my grandfather and my father made illustrious, I have consecrated my life to this population, in the midst of which I have lived, which I know, which I love, the needs and aspirations of which I have sought ever to satisfy."

Still another contrived to work in a bid for the veteran vote, viz., "All of you without distinction of party will vote for me on the tenth of May in the certainty of having at the Hotel de Ville an energetic representative, a defender of your rights, an expounder of your needs, and, if I may speak of my old companions in arms, an upholder of your glory."

MUNICIPAL ISSUES IGNORED

So far as issues were referred to in the Parisian campaign advertisements, they were, with very few exceptions, national, not municipal issues. If the latter chanced to be touched upon at all they were almost invariably dealt with in the form of glittering generalities. For example, in the Odeon quarter a candidate proclaimed: "We wish no disastrous experience with the Fusion of the Lefts (*Cartel des Gauches*). We wish neither destructive socialism nor bloody communism: such is our slogan. Attached to the ideas of wisdom, of firmness, of moderation which are the honor of our quarter of the Odeon, we will aid the triumph of our ideas by voting on May 10, for V——— B———, Republican Independent Candidate."

The national bearing of the municipal election was frankly avowed in an *affiche* posted by the Civic Fraternity of the Vth and VIth Arrondissements, which read in part as follows:

> VOTE FOR THE LEFT
>
> The vote you are about to cast has an eminently political bearing. Do not forget that the municipal councillors will name the senators in eighteen months.
>
> If you wish a Republican senate vote for Republican candidates.
>
> Let there be not a single abstention.

On the other side of the fence it is interesting to note that in spite of the recent cabinet crisis, the French chamber and senate found it convenient to take a fairly long vacation covering the period of the councilmanic campaigns throughout the country. Various explanations were offered for this step, but it is universally assumed that the honorable members employed a certain part of the leisure thus procured in municipal affairs.

To the general statement made above regarding the preoccupation of municipal candidates with national issues one striking exception should be noted. In the Sorbonne quarter a candidate who in private life is a professor at the Beaux Arts posted *affiches* announcing a course of lectures to be given at evening meetings on such topics as sanitation, gas, water, electricity, subways, housing, municipal finance, labor laws, education, and the high cost of living. It is interesting to note that after a hard fight he won out at the supplementary election.

As the campaign progressed the *affiches* in many quarters took on a bitterly personal tone. They amounted in fact if not in form to an exchange of venomous letters between candidates. And there is not a doubt that this dash of paprika was thoroughly enjoyed by the voters. All day long little groups of citizens gathered before the billboards to read and ruminate. At night when there were no *agents de police* or friends of candidates to interfere, by-standers pencilled comments on the *affiches* which were much too pungent for repetition here. So far as the writer was able to cover the press of Paris during the campaign, he came to the conclusion that it devoted a very small percentage of its space to the councilmanic elections, perhaps less than a fifth as much as American metropolitan journals are accustomed to give. Moreover the few articles which appeared in the Paris papers were general in character and dealt largely with the effects on national politics of the communal elections impending in the capital and throughout the country. Thus the *affiches* and the campaign meetings they announced were almost the only sources of information open to voters on the affairs of their own wards. The large degree of public interest in local bulletin boards was, therefore, not at all strange.

THE CAMPAIGN WAXES WARM

As an extreme sample of the rough give and take of controversial correspondence by means of *affiches*, the following series may be presented:

I

ELECTORS

Why does Citizen B——— wish to be a municipal councillor? To look after your interests or to look after his own? Judge.

The Citizen B——— as architect constructed at Bagnolet for the Department of the Seine a garden city.

The work is only four years old but already it is falling in ruins and the Citizen B——— together with the contractors is being sued by the Department for a million in damages plus interest.

It is easily comprehensible that Citizen B——— would throw money out of the window to assure his election. What a magnificent saving he would realize if, assuming the impossible, he were elected and could then use his influence as a councillor to free himself from the damages claimed by the Department!

II

HONEST MEN OF ALL PARTIES AGAINST CALUMNIATORS

Certainly we have never doubted for a single instant the loyalty, the probity of Citizen B———, nor his professional skill for which he is world-renowned, but in the face of the infamous calumnies of the Citizen G——— we hold it to be our duty to place before the electors of the Sorbonne quarter striking proofs of the bad faith and perfidy of Citizen G———.

Electors of the Sorbonne quarter transport yourselves as we have done ourselves to Bagnolet, to the garden city of houses, semiprovisional in character, constructed by Citizen B———. You will wish ardently that all the workers of the Sorbonne quarter were lodged in houses as comfortable, as sanitary, as admirably planned as those which the Citizen G——— says are in ruins. (Etc., etc.)

This advertisement is not dictated by any political consideration. Representatives of all parties, even of the Right, have signed it. There is here no question of politics but only of elementary honesty.

III

FURY OF B——— UNMASKED

The reply of B——— is nothing but a tissue of shameless lies.

The brother of B——— is a boxer, the poor woman who was his companion is weak and sick.

To speak of assault and battery by this woman against the boxer would be ridiculous if it were not odious.

In reality it was the brother of B———, who, having met the poor woman on the street, December 23, gave her an uppercut which felled her to the earth and left her unconscious, knocked out, for more than a quarter of an hour. The unfortunate woman made complaint to the police. B——— boasted of having stopped the prosecution by his political influence, and as a matter of fact nothing has been done in the case to this day.

B——— lies with the greatest effrontery when he affirms that he is not a millionaire. Open the real estate registry and you will find that the property at Rue H—1, where he lives, is entered as belonging to Mme. R——— E———. This property is worth more than a million and Mme. R——— E——— is none other than the wife of B———.

Open the architect's annual: there you will read that B———, as architect of the State and of the Department, has offices at Chartres, Hazebrouck, Vimy, Peronne, and Le Nouvion-en-Thiérarche. Four offices in the devastated regions! The exploits of B——— as a restorer of ruins are the fable of all his colleagues.

Electors, once again judge the man who presents himself for your vote and then execute him.

IV

NEW AND ODIOUS CALUMNY

What calumny, what lies! Will they never finish with their inventions?

They think, they also, that "of calumny some part always remains."

What falsity! How abject it all is! And now these eleventh hour lies.

I shall sue these wretches before the courts for these abominable calumnies.

But just let them dare to speak to me in my face instead of attacking me always in the rear.

In spite of the superheated character of the foregoing language no blood was shed during the Parisian municipal campaign with the exception of the affair of the Rue Damrémont which doubtless received more or less attention in the American press. Accounts of this incident vary widely, especially as to which side was the aggressor. However, it seems to have been an attempt by communists and nationalists to settle their political differences by revolvers; result, four nationalists killed, fifty persons wounded including the normal quota of innocent bystanders,—the original political differences between the two parties remaining the same as they were before the mêlée apart from the exacerbation caused by bloodshed. Of course the affair was bound to figure in the *affiches*. One of the latter, deeply bordered in black, bore the names and occupations of the four victims, followed by the words:

Le 23 Avril 1925 à 23 Heures
Sont Morts
ASSASSINÉS

Constantly during the campaign efforts were made by the extreme right parties to convince the people that bloody communism was impending, and by the extreme left that equally bloody fascism was on the cards for the immediate future.

SOME FEMINISTS PARTICIPATE

A minor feature of the campaign was the activity of feminist and suffragist organizations. The former put up a candidate in each of the eighty quarters, but as women are not yet eligible under the law this was merely a propagandist gesture. The vote cast for them, which has not yet been reported in the press, is said to have been very light. Suffragist organizations of a less advanced character contented themselves with the posting of *affiches*, one of which may be translated in part as follows:

Why has not the French woman the right to vote? She works, obeys the laws and pays taxes just as a man does.

We demand a ballot which will permit women who work (the majority of us) to defend their interests, widows to represent the fireside of the father who is no more, mothers to protect the rights of their children and which will be the surest means to maintain respect for religious liberties and to bring about reasonable reforms concerning child welfare, public hygiene and public morals.

Desirous of aggrandizing the rôle of the family and of fortifying its action we demand that we be made the auxiliaries of the men in the political arena to the end that we may serve more efficiently the interests of the Patrie.

While regretting that parliament has not yet given women the right to vote, the National Union for Women's Suffrage, out of respect for existing law, has decided not to present candidates at the municipal election.

But it pursues its energetic campaign to secure the triumph of its just cause and invites all women to join it in order that woman suffrage may come more quickly.

Join It: Get Others to Join.

BATTLE LASTED FOR TWO ROUNDS

In Paris the election of Sunday, May 3, resulted in the filling by a majority vote of 41 councilmanic seats, leaving 39 others to be decided at the supplementary election a week later. Having thus tested out their strength in the first round the various parties promptly formed combinations in the 39 undecided quarters. Usually two such combinations emerged, one of the more moderate or conservative, or, if you please, more reactionary groups; the other of the various radical-socialist, socialist, unified socialist, and even communist groups (*Cartel des Gauches*); the general principle being that the candidate of either group who received the highest number of votes at the first ballot was put up alone for the second election.

So far as the battle of the *affiches* was concerned the tactics above described had two sharply contrasting results, first the appearance of a number of very courteously worded announcements of withdrawal by the less successful candidates in the first vote; second, the injection of new rancor into the printed correspondence of the two principals left in the field. Examples of the latter have already been given. A common form of withdrawal was as follows:

THANKS

I thank cordially the 463 electors of the St. Germain des Près quarter who so kindly gave me their votes last Sunday.

I am profoundly grateful to them for the confidence they have shown in me. Conforming to my earlier declarations and in a spirit of patriotic discipline I ask them to cast their ballots now for

M. R——— L———

and thus to assure in the second polling the triumph of the policies of the National Union against the political menace of the Fusion of the Lefts.

(Signed) A——— L———.

After the second election on May 10 both victors and vanquished had something to say, usually much more moderate in tone than their earlier statements. Thus one of the former posted the following:

THANKS

From the bottom of my heart I thank the 1,340 electors who by giving me their votes on May 10 secured the triumph against the coalition of communists and cartellists of republican union, social and national. Let them be assured of my profound gratitude.

To all other voters I say the incidents of the electoral campaign are forgotten. Our quarter will find in me a representative active and devoted, who will have at heart the defense of the interests of all the inhabitants of St. Germain des Près.

Vive Paris! Vive St. Germain des Près!

His opponent had the last word, as follows:

THANKS

To the 1,242 voters who gave me their suffrages I address this expression of my cordial thanks and my felicitations on the ardent campaign which they carried on at my side for the triumph of the democratic and social republic.

1,242 against 1,340.

The breach is wide open. The fight will go on.

VOTING PROCEDURE

So far as methods of voting are concerned the writer noted nothing of particular interest except the new and decidedly elaborate form of the *Carte d'Électeur* which every voter must bring with him to the polls. In Paris these took the shape of a four page folder stating on page 1, names of the arrondissement and quarter and the fact that they were valid for all elections both communal and for the chamber of deputies from April 1, 1925, to March 31, 1926; on pages 2 and 3, the location of the polling place, the name, date of birth, profession, and domicile of the voter, his number on the official list of voters, his signature, and if he wished to include it, his photograph. At the side blank spaces were left to be stamped by the election officers with the dates of the elections at which the voter appears. On the last page the polling hours were stated and the elector was warned that he would be permitted to vote only after he had withdrawn into a booth (*isoloir*) and there placed his ballot inside the official envelope provided for that purpose. The document concluded with the official stamp of the *maire* of the arrondissement and the (printed) superscription of the *maire*. All together these French electoral cards are quite the most complete forms of identification for voting that the writer has encountered.

WHY THE MODERATES WON

In Paris 529 candidates presented themselves for the eighty councilmanic seats. The number was unusually large, due partly to the nominations made by the feminists. Party strength in the newly chosen body will be as follows:

MODERATES	
Conservative	8
Republicans of the Right	18
Republicans of the Left	15
Radical Republicans	6
Total	47

CARTEL	
Radical Socialists	6
Republican Socialists	5
Socialists (S. F. I. O.)	14
Communists	8
Total	33

As compared with the preceding council the Moderates lost three seats to the Cartel. However, the control of the council remains safely in the hands of the Moderates and therefore no immediate change may be expected in the municipal policies of Paris. Socialist papers complain bitterly that the result shown above is a complete falsification of the popular will. According to their figures 205,000 votes were cast at the first election for candidates of the National Bloc (Moderates), 196,000 for candidates nominated by the Fusion of the Left (Cartel), and 95,000 for Communist candidates. In the supplementary election Communists and Cartellists generally fused. On this basis it may be assumed that the popular vote of Paris would have divided roughly as follows: Moderates, 41.4 per cent; all shades of Socialists 58.6 per cent. So far as seats in council are concerned these proportions are almost exactly reversed.

The principal justification for the foregoing result is that it is an old, old story. Long ago Paris was divided into arrondissements which have retained the same boundaries regardless of subsequent shifts of population. Similarly all the arrondissements were divided into quarters, each entitled to one seat in the council. No doubt the permanence of boundary lines is a great convenience in many ways. Every citizen of Paris knows his ward and quarter and is familiar with the location of the administrative offices therein—a condition seldom if ever paralleled in American cities. But as a basis of representation, arrondissements and quarters have become grossly unfair. For a glaring example contrast Bercy of the XIIth Arrondissement which had 3,294 qualified voters with Clignancourt of the XVIIIth which had 28,055. Yet each was entitled to one seat in the council. Reform of this condition has been discussed frequently of recent years, but without definite result. Energetic efforts to secure a fairer apportionment are promised for the near future.

Following the communal elections in Paris and throughout the country the party press has been actively engaged in the interpretation of their bearing upon national politics. Statistics were largely employed in the process, and it is alleged that when official figures proved inconvenient certain journals did not hesitate to concoct tables and totals more to their taste. Amid such conflicting claims it ill becomes an innocent American observer to hazard an opinion. Nevertheless, there seems to be general agreement that the communal vote of 1925 shows a continuance of the general trend manifested in the parliamentary elections of 1924 with a further deflection to the left. Parties of the right barely hold their own. Groups in between are being wiped out in France as in England and Europe generally. What will transpire when the chambers meet again remains to be seen, probably nothing very spectacular at first. Nevertheless the friends of M. Herriot must be encouraged to greater activity. Recent news items announce his triumphant re-election as mayor of Lyons, following the launching of a manifesto in favor of social insurance and social legislation, policies intensely disquieting to gentlemen who long for budget equilibrium and no increases of taxation. Painlevé's cabinet so recently installed may not be long-lived, but then, of course, French cabinets seldom do live long. Meanwhile the numerous and enthusiastic enemies of M. Joseph Caillaux, the newly resurrected minister of finance, are convinced that now, much sooner than they had expected, they are going to lift his scalp, if so perfect and so highly polished a dome above the ears may be said to possess a scalp. Amid the *brou-ha-ha*, as the French so elegantly put it, of this endless chatter about the repercussion of what, after all, are purely local elections upon national politics, one does encounter at rare intervals some still small voice, faint as conscience in a sin-steeped soul, uttering the pious hope as *Figaro* puts it, that "the majority may justify its success by a greater care for the beauty of Paris and an exact economy in the conduct of its finances."

PERMANENT REGISTRATION FOR ELECTIONS UNSUITABLE FOR LARGE CITIES

BY FRANK H. RITER

Chairman, Philadelphia Registration Commission

A feature of the recent session of the Pennsylvania legislature was the consideration of a permanent registration law, which is here criticized by a prominent election official. :: :: :: ::

THE personal permanent registration bill introduced into the last session of the Pennsylvania legislature was almost a copy of the act that was put in force for the first time in Minneapolis last year and it is quite evident that sufficient time has not elapsed to test the value or show the defects of its provisions. Two of the registration commissioners of Philadelphia investigated at first hand the operations of the Boston law, which is constantly referred to as a model and has been in force since 1896.

POLICE REGISTRATION ESSENTIAL

It may be stated at once that the Boston authorities, as well as their most capable assistants, regard as a fundamental necessity to the proper working out of any permanent registration law a complete listing of all the residents of the city over twenty years of age by some responsible body. In Boston they use the police force, which is non-political. They hold that its enforcement is impracticable without it, yet this fundamental feature of the Boston system was completely omitted in the Pennsylvania bill. The Boston commission holds that it is the only way by which the registration list can be at all properly checked and fraud prevented. The commission also had interviews with Albert S. Bard, chairman of the Election Law Committee of the Citizen's Union of New York City and one of the editors of the Election Law of 1909; Nathaniel J. Palzer, secretary of the Honest Ballot Association; Edward H. Wilson, one of the editors of the present election Law of New York; and Charles E. Heydt, secretary of the board of elections of New York City, all of whom have given a great deal of consideration to the subject of permanent registration as applicable to New York City, and it is their opinion that any permanent registration law for cities of the size of Philadelphia and New York, with their large floating populations, is out of the question if honest registration is to be secured. They as well as the Philadelphia commission are of the opinion that such an act as is proposed would result in the gradual filling up of the permanent registration lists with fraudulent registrations by reason of the large number of citizens who, in these great cities, never live in any one place a very long time; and it may be assumed that this class of citizens could not be relied upon to notify the registration commission of their change of residence. The Philadelphia registration commission agrees with the Boston commission that if a permanent registration act is to be adopted it should be preceded by such a list as Boston regards as fundamental; so that the subsequent registration list can be properly checked against it; but it is also of the opinion that a permanent registration system cannot be successfully carried on in Philadelphia.

There can be little doubt but that a permanent registration system such as is proposed would cost much more than our present annual system of registration. Of course it will be easily appreciated that under the provisions of the bill proposed where there is no adequate provision for a systematic checking of the registry lists, the number of names upon a permanent registration list will greatly increase, but that many of such names would in effect be fraudulent. To illustrate how easily fraudulent registration can be carried on, it appears that in the November election of last year a number of persons who registered and voted at Surf City, New Jersey, had also registered in Philadelphia. This was discovered in the development of a contest over the result of the election.

COST OF ADMINISTRATION

Philadelphia registered 480,322 citizens in 1924. Particular attention can be called to but a few of the important provisions of the bill under consideration by the legislature affecting the cost of administering it. The registration would have to be made upon cards. These would approximate 500,000. These make up an original register, alphabetically arranged and indexed and must be retained in the office of the commission. The bill then provided that two photostatic copies shall be made, one designated as a duplicate register and the other as a district register, both to be arranged alphabetically and indexed. These two groups of cards were to be kept in the office of the commission and used as provided in the act. In addition to the above two street lists were to be prepared for each election division, setting forth the names and residences of those registered according to streets and houses. One of these lists was to be hung permanently outside of the polling place and the other to be used presumably as a copy for the printer from which street lists are printed for both the general and primary election. After the street lists were printed, provision was also made for the printing of supplemental street lists for both primary and general election. Furthermore the commission was required to prepare for each election division a book bearing close resemblance to what is now known as the ballot check register.

You will thus see that in addition to the handling of the 500,000 original registration cards and the 1,000,000 photostatic copies, the commission would have had to prepare annually two street lists for both the primary and general elections, and also the ballot check book. These would approximate 1,500,000 entries of names and addresses, and would necessitate printed street lists and supplemental street lists for both the general and primary elections, all of which is expensive. It may be stated that it cost Boston last year $20,940 to record in one set of books 495,347 names, addresses, etc. The cost in Philadelphia would not be less. The cost of clerical service alone in the preparation of the two copies of the street lists and of the ballot check register could not be less than three times what it cost Boston to prepare one such copy covering approximately 500,000 names. Printing likewise would cost a very large sum. It cost Philadelphia $41,099.74 last year to print one street list covering 480,322 names for the general election, yet a typed statement circulated at Harrisburg stated that the adoption of the bill under consideration would reduce the cost of registration. It is frankly acknowledged that there would be a large saving in the amount now paid the registrars, but this saving would be more than balanced by the necessary increase in the number of permanent and more highly skilled employees of the registration commission. In addition to the above permanent registrars with annual salaries would have to be included, numbering under the provisions of the act at least one for each of the forty-eight wards. But as a matter of fact many more than forty-eight would be needed as well as a high-grade clerical force to carry out the elaborate machinery of the permanent registration system.

ANNUAL REGISTRATION WOULD STILL BE LARGE

It must not be supposed that if permanent registration were adopted that there would not be a large registration annually and that the cost of printing alone in connection with this would be very great. While transfers are not new registrations yet they would be quite numerous, and based upon the experience of Boston would amount to 48,033 in Philadelphia annually or about 10 per cent of the existing registration. New registrations, consisting of those becoming of age and new residents, would, based upon the experience of Boston, amount to 26 per cent of the existing registration, which, according to the registration in 1924, would number 124,883. There are other figures that would have to be added to the foregoing if there was any way of estimating them, such as the number of those who had been dropped from the registration list, under the provisions of the bill, for not having voted within two years, and who wish to re-register so that they may be qualified to vote in the future.

It should not be overlooked that in those states where they have permanent registration there is no tax prerequisite for voting. But in Pennsylvania there is such a tax prerequisite and as long as it prevails a difficulty necessarily presents itself. When one registers it is intended that he should have cleared all obstacles out of the way of voting; that there should be nothing further demanded of the voter when he goes to the polls but his identification and the casting of his ballot. The proposed permanent registration act nevertheless did require that the citizen should prove that he had paid a state or county or poll tax within two years of the election. It is inconsistent with the thought behind permanent registration to require citizens to prove to a registration board the payment of a tax every two years. Yet the constitution of Pennsylvania provides that a citizen must prove that he has paid a state or county or poll tax within two years of the time he proposes to vote. The act therefore had to require that, when a citizen presents himself at the voting booth, he must make good his right to vote by producing such a tax receipt. Under the registration law now in force the payment of this tax must be established when the citizen registers and not when he votes. Experience convinces us that the proposed change would cause great confusion to the voters in Philadelphia and be the means by which voters would be annoyed and harassed.

WOULD MORE VOTE?

Another reason given by the advocates of permanent registration is that it will increase the interest in voting by making it easier for citizens to register. Facts will hardly bear out this theory. The following cities where various forms of registration are in use present an interesting comparison. It rather proves that citizens interested enough to register annually will in larger numbers vote at elections than where registration is what is called "permanent."

City	*State*	*Registration*	*1923*	*1924*
Detroit	Michigan	Four year	38.7	90
Boston	Massachusetts	Permanent	42.6	88.7
New York	New York	Annual	93.3	96.3
Chicago	Illinois	"	83.5	93.6
Philadelphia	Pennsylvania	"	76.4	94

DES MOINES CLEANS HOUSE

BY MERZE MARVIN

Des Moines, Iowa

Graft exposed and erstwhile public servants sent to jail remind us that we shouldn't grow too complacent. Eternal vigilance may be needed, after all. :: :: :: :: :: :: :: ::

State of Iowa vs. *Mary Frase*, Criminal Docket 24, page 17101. Charge: Obtaining money by false pretenses. Jury trial; verdict of guilty; sentence, seven years in Rockwell City Reformatory.

THE above docket entry in the thumb-worn records of the office of the clerk of the district court of Polk County, Iowa, is but one of thousands. Nothing is noted which makes it unusual or takes it out of the commonplace. Back of it, however, lies a remarkable story—one which involves more than the ordinary run of sordidness and treachery, victory and defeat,—one in which taxpayers were arrayed against politicians, prosecuting attorneys against slick lawyers, and municipal graft against good government. It is the story of how an American city cleaned house, lodged a number of public servants of erstwhile good reputations in the state's penal institutions, made righteous men out of certain of its contractors, placed an increased value on its tax dollar, and put its public affairs on a plane of decency and efficiency,—all in the last two years.

HERE IS THE STORY

In 1916, one Harry B. Frase, was elected commissioner of the department of parks and public property. He appointed his sister, Mary Frase, secretary of the department, and his close friend and political adviser, John Bachman, a former city treasurer, assistant superintendent of the department. Mary kept the office records; John "supervised" the custodians of the parks and cemeteries between drinks and political conferences; and Harry "gladhanded" the "peepul." In 1919, Russell Cockburn, broke but politically potent, needed employment. Suitable pressure was exerted and he was assigned to the position of timekeeper in the department of streets and public improvements. In the same year Harry X. Miller, who could also produce votes when needed, was appointed to a position of trust in the department of public safety then presided over by his brother.

These four officials have been convicted of crimes ranging from obtaining money by false pretenses to embezzlement. Harry Frase resigned at the behest of the attorney-general sixty days after being elected to his fourth consecutive term. Now Mary is tending chickens for the state at one of its reformatories; John is under sentence to the penitentiary, but is still at liberty on a petition for a rehearing to the state supreme court, which lately affirmed his conviction; Miller is assiduously piling coal behind the towering walls of Fort Madison; Cockburn, committed to the reformatory at Anamosa for seven years, is temporarily outside the wall while undergoing treatment for diabetes. One of these cases concerned the courts of two states and established a record in extradition proceedings.

PART PLAYED BY BUREAU OF RESEARCH —PADDED PAYROLLS

The downfall of the grafters was brought about by an ex-service man named Clarence Young. In 1921, at the age of thirty-three, he was employed by an organization of local taxpayers called the Bureau of Municipal Research to make a study of conditions at the city hall, and determine ways of increasing efficiency in the administration of public business. In a few months he brought about graft disclosures which shocked Des Moines. To Young's friend, Vernon R. Seeburger, county attorney, also an ex-service man and thirty-three years old, fell the responsibility of prosecuting the bulk of the graft cases, a task which involved turning a deaf ear to political pressure, threats and the like, required weary weeks of work in the trial of each, and necessitated a chase through the courts of Missouri to secure extradition of one of the defendants.

Following the organization of the Bureau, Young began looking into accounts at the city hall. Gossip directed attention to the parks department. A personal interview with every man employed in the city's fourteen parks and cemeteries was the first link in the chain of evidence collected,—a task requiring more than two months. Comparison of this list of persons actually employed with the payrolls for a like period proved that eighteen fictitious names were carried on the department payrolls. Young secured the co-operation of the auditor of state, who sent state checkers to assist in auditing the accounts. The investigation of payroll expenditures covered a period of fourteen months. During this time, it was charged that $23,084 was apparently fraudulently appropriated by department officials through a system of payroll padding.

Payrolls were compiled twice monthly for all employees of the department by Mary Frase or John Bachman. The auditor approved the payrolls and drew the warrants for the employees, who were supposed to call at the auditor's office on pay day and receipt for their warrants. Mary, however, adopted the custom of giving to the treasurer a list of a few names of employees, who, she claimed, could not call in person. This list contained the names of both real and fictitious employees, together with a bunch of labeled envelopes corresponding to the list of employees. The treasurer cashed these warrants, placed the amounts due each employee in the envelope bearing his name. Mary later called for the envelopes and delivered the legitimate ones to Bachman to be handed to the employees. The cash in the envelopes addressed to the fraudulent employees thus got into the pockets of Mary or Bachman without either being required to receipt the warrant stubs.

When the number of fictitious names dropped from eighteen to eleven, immediate action was decided upon. The city council passed a resolution requiring each city employee to call in person for his warrant. Six of the eleven warrants were demanded by four men, two obtaining two warrants each by calling at different times under different names. These men were followed and interviewed. Their testimony helped convict Bachman. The envelopes which Mary had prepared for these eleven fictitious persons remained in the hands of the officials and assisted materially in her conviction.

Mary was arrested, tried and convicted, despite predictions of knowing politicians and the suspicious public that she surely would be "turned loose." After her conviction comment was rife that she would escape justice through appeal or parole. Neither availed her anything. She was forthwith committed to the women's reformatory, where she has since remained.

ASSISTANT SUPERINTENDENT FLEES—MORE PAYROLLS PADDED

When news of the graft investigation involving the parks department first leaked out, John Bachman resigned and departed for parts unknown. He was immediately indicted, but his whereabouts was not discovered until nearly a year later, when he was found living at San Antonio, Texas. His capture came as the result of a reward offered by the Bureau. When circulars offering the reward were sent broadcast, a police officer saw his picture and arrested Bachman at a local club. A trial of two weeks' duration followed, and resulted in another conviction.

After the parks department investigation was completed, Young and the state checkers began work on the books and accounts of Harry X. Miller, superintendent of the garbage disposal plant. Miller was found to have used the same system of payroll padding employed by the others, but his ingenuity went further. He used the names in his payrolls of two men who actually existed, but who did not work for the city. On pay days they called for the warrants drawn to their names, cashed them, and presented the proceeds to Miller, less a pittance as "commission." Besides padding payrolls, Miller's books showed many queer entries. For example, a substantial, five-ton truck was almost continually in need of repairs, according to Miller's records. The frame had been welded four times, four new tires for it had been supplied, and once a two week's garage bill was paid on it, so the records said. But the truth was that it had never been out of commission, the frame had never been welded, no new tires had been placed on it, and it had never been in the garage for storage.

Miller did not run away as did Bachman, but stood his ground for a time and denied his guilt. After the jury had been sworn and some evidence introduced, he changed his plea to "guilty," and was sent to prison for seven years.

Russell Cockburn, timekeeper, made the biggest haul of all the grafters, having embezzled more than $21,000 that the checkers were able to prove in a single case. There were other cases against him. When the investigation began, Cockburn was found to be the owner of property amounting to thousands of dollars. He was also prominent in the city's "night life." Cockburn proved a sturdy fighter even in the face of staggering frauds, but his chief defense was a case of diabetes behind which he sought to evade justice.

The young timekeeper first directed suspicion against himself by his morbid curiosity at the investigations in the parks department. When the searchlight was finally turned on him, it was found that, on a salary of $150 a month, he deposited $85,000 in his bank account in fourteen months. His account showed that large deposits were almost invariably made immediately following the city's pay days. Deposits ranged from $500 to $3,000 at a time. His original deposit slips in his own handwriting were compared with the bank's clearing house letters and the itemized warrants, and all checked to a penny. Both tallied with the payrolls which Cockburn prepared for the city. He had deposited fraudulent warrants directly in his account. In all he obtained over four hundred warrants, involving eighty-four payrolls and totaling $43,000. Foremen in the department appeared as witnesses against him, and testified to the falsity of the list of employees as compiled by him. He even went so far as to fake a complete gang of alleged employees from the foreman on down. The name of L. A. Burns was given to this imaginary foreman, and it was on this that he was indicted. Cockburn's originality in the selection of names eclipsed that of his brother and sister grafters, for whereas they used the same names over and over again, he never duplicated a name. Each payroll looked like a fresh page from a city directory.

TIMEKEEPER ESCAPES BUT IS EXTRADITED AFTER FIGHT

Discovery of Cockburn's defalcations paled into insignificance beside the task of bringing him to trial. He was slightly diabetic, and he successfully hid behind his illness for over a year before he could be forced into court.

"Is Cockburn seriously sick, or is he bluffing in order to escape trial?" Thus wondered the taxpayers who had paid thousands of dollars in tribute to his corruption.

"It will kill Russell to stand trial. Nothing short of murder—too sick—he has only a few weeks to live." These were the comments of Cockburn's attorneys, his relatives and friends.

"He eats sugar when he thinks he is going to be examined. He forgets to take his insulin when threatened with trial," replied the skeptical and defrauded public.

"Very sick. He may die. We wouldn't recommend trial." Thus said the doctors of doubtful courage appointed by the court.

While the experts were disagreeing over Cockburn's fitness to stand trial, he quietly slipped out of the state and began taking treatment at the Veteran's Hospital at Jefferson Barracks, Missouri. Finally County Attorney Seeburger declared that the monkey business of Cockburn and his doctors had to stop. Forfeiture of his bonds was demanded by the county attorney and granted by the court, and Cockburn was ordered to trial.

Cockburn was not within the jurisdiction of the Iowa courts, so the order meant little of practical importance. But it set the ball in motion, and the fight was on. Seeburger applied to the governor of Iowa for extradition on Cockburn. With the governor's warrant he proceeded to the governor of Missouri and sought to extradite the fugitive. A bitter fight ensued and extradition was granted. When Seeburger and the Iowa sheriff attempted to take Cockburn into custody they were met with a writ of *habeas corpus* issued by the circuit court. On a trial the court awarded the prisoner to the Iowa officers. When they again tried to take him they were halted by another writ of *habeas corpus* issued by the court of appeals. Before that court Seeburger again established his right to the prisoner. As he was about to leave with him he was met with a third writ of *habeas corpus* issued by the supreme court. A hearing there resulted in that court ordering Cockburn back into the custody of the Iowa officers. At this juncture, however, the hospital authorities, who had been won over by Cockburn to his side of the case, refused to honor the mandate of the supreme court, and threatened to use the nearby military forces if necessary to hold Cockburn. But Seeburger, undaunted, wired the Veteran's Bureau at Washington with the result that the hospital officials were instructed to release Cockburn to the Iowa authorities. The Iowa sheriff, at the direction of the county attorney, seized Cockburn, though threatened with charges of abduction, rushed him away in a taxi, and after following a circuitous route landed him back in Des Moines. With the party was a physician specially employed to watch Cockburn's physical condition and prevent abuse of his health by the prisoner. He was placed in a hospital and carefully guarded. The trial finally got under way.

"We'll rock the city hall," said his attorney, threatening an exposé of alleged higher-ups, if the case proceeded to trial. The ensuing trial lasted three weeks. Thousands of exhibits, including payrolls, warrants, time books, time sheets and council resolutions were introduced. Cockburn appeared daily in his wheel chair attended by a nurse supplied by the state. At the conclusion of the state's case, Cockburn's threat "to rock the city hall" vanished into thin air. The case was submitted to the jury, which found him guilty in fifty minutes. He was sentenced to seven years in the reformatory. And he is still alive although nearly a year has elapsed since he was tried.

$100,000 SHORTAGE CHARGED

Several more indictments are pending in the graft cases—three against Mary Frase, two against Bachman, five against Miller, and two against Cockburn. Besides these, there are several against accomplices of those convicted.

Shortages to the amount of $100,000 were charged through the entire investigation. Of this amount, $49,000 has actually been proved in the trials to date.

In addition to the payroll padding, large overpayments had been made under suspicious circumstances to grading, paving and other contractors doing work for the city. These were carefully checked, and, as a result, $23,000 has been repaid to the city on demand, and suits have been instituted for $43,000 more.

The state checkers are still busy. The office holders wonder "who next." The people—the taxpayers—who have been looted see the dawn of a new day in popular self-government, and are profuse in their appreciation of the efforts of those whose courage forced the investigations and convicted the offenders.

A REALTOR TALKS ON CITY PLANNING AND ZONING

BY JOHN H. GUNDLACH
St. Louis

Excerpts from an address on services which a property manager should perform for his clients, delivered at the National Real Estate Convention. :: :: :: :: :: :: :: :: ::

Growth in values in a town or city which follows expansion because of the pressure of population is not the product of the individual except as expressed in co-operative effect. Sometimes natural or artificial conditions not of our making produce desirable effects, but these are the exceptions, and the results to be striven for, are to be found in an intelligent system of urban development which the realtor should invite and encourage. Failure to recognize the value of proper city planning is reflected in our average American city by the miles of decadent property which in normal times is not only difficult to realize on, but discourages the owner and prospective buyer from future realty investments.

COST OF A HIT OR MISS POLICY

The future of realty can be foretold with almost mathematical accuracy and it is in studying the factors of conservation and future development that the realtor can give service of great value to his client and plant for himself and his associates the seeds of continuing prosperity. While the laws that govern are not infallible, they are determining as near as human control can make them. And this suggests the thought that every realtor should be compelled to take a course in city planning and economics before he is permitted to receive a license to engage in business.

As we know, a so-called hit or miss policy in building our cities has too often brought preventable ruin to the holder of real estate. It is easy to understand how a subdivider in boom times will fall a victim of over-confidence in the capacity of absorption; but with intelligent planning, the populated sections should be the last to feel and respond to decline.

St. Louis a short time ago passed a bond issue of over $87,000,000, considerable of which sum could have been saved had the property manager been mindful of civic needs and stood up resolutely for common sense in city building. More than this, many millions would have been saved to owners by the policy of stabilization which must govern if permanence is to be encouraged. No greater mistake was ever made by the manager or owner of property than to permit central and old property to deteriorate from lack of repairs. In its wake follow loss of values and rental returns and the final step to the slum with its undesirable tenancies and harmful picture of civic retrogression. It should be the realtor's duty to aim at the preservation of the central city at its best, and look upon enlargement of this heart, by the natural pressure of growth. He should be quick to see the harmful effects to property values through the senseless shifting of central development from one section to another, not in response to growth, but through the shortsighted policies of owners of the older property and the enterprise of owners in the newer parts. If this concerned only the owners of the abandoned sections, the case would not be too serious, but the results are a positive injury to the sightliness of the city with consequent loss of taxing revenues, and losses shared by the financial agencies which have made loans commensurate with former values. It is the property manager's duty to use every argument he can to bring an owner to a realization of his obligations to contribute to factors that will prevent such action to occur.

American towns and cities have too long delayed learning that the abandoned and slum districts have no place in well governed and intelligent communities. While loss in value to improvements is inevitable to age and because of the migratory microbe in the American makeup, our apparent unconcern of the conservation of real estate wealth is one which should justly claim the serious thought of every realtor and property owner.

But it is not only the central parts of our cities that must be studied by the manager of property. I should say that in addition to his knowledge of values of unimproved and improved, of building construction and financing, he should be the leading city planner in his city.

ZONING IS PROFITABLE

He should study the inevitable results and aim to prevent the intrusion of the use of property in neighborhoods where such use is catastrophic to the values of the street or neighborhood. He should understand that the making of an immediate commission is not of as much consequence as making another tomorrow; next week. As between a commission and a sale for a client by which injury will be done to the neighborhood in which the property is located, don't make the commission. Recently in my state, a zoning ordinance for St. Louis was declared unconstitutional in the main because the law did not provide compensatory damages for the owner of property who claimed depreciation. The news of the decision had scarcely been flashed over the wire when the building commissioner's office was besieged by an army of parasitical freebooters, seeking to secure permits for the release of new blights on the helpless owners of adjacent property. As a result many of our finest thoroughfares are being irreparably injured by these acts of legalized anarchy and it is to be wondered at that this is not met by mob vengeance. If this is moral, ethical, economical and good law, you may as well justify the robbery of a bank by its president, cashier, or other official, or condone the offense of the adventurous bandit who possesses himself of the funds at the point of a gun. The underlying moral principle in both cases is the same; the unscrupulous personal presumption of the profit of one, at the expense of the community.

We hear much of the rights and inviolability of private property in the sense we were told of the divine right of kings and vested privilege. The opposition to zoning is based on the rights of one to the detriment of the many. Would you say the rights of private property were conserved by permitting one to intrude a use of property in a locality where such use, contrary to established practices, will cause depreciation of the balance of the block, a street, or a considerable area exceeding this? Is individual gain realized through destruction of neighbors' values paramount to the rights of these injured neighbors? If a junk yard invades a nice residential street whose right of property is to be respected, the junk man, or the twenty or more owners whose values have been seriously impaired?

It was my misfortune some time ago to sell an unrestricted lot to a purchaser who erected a filling station to the injury of a nice residential street. I have since been offered twice the price secured for this lot for one diagonally across the street provided I would not restrict its use for a similar purpose. In view of the previous experience, I promptly turned down the offer, since as owner, I was accountable for its sale only to myself.

SUBDIVISIONS

In the matter of subdivisions, the manager of the property should again have in mind and so advise his client of conforming to a logical expansion of building area. Communication with other parts of the city, conforming street line, desirable grades, quality of streets, walks, and sewer improvements, and a reasonable regard for future recreational needs should be carefully planned and insisted on. I am thinking not of the speculator, but of the home buyers who constitute the the great majority of the purchasers and who should be given such value as will establish confidence in home ownership. Every subdivider should also be concerned in harmonizing the new section with future needs of the greater city thereby reducing the city's cost, and this means property owners' cost, of physical needs, to the minimum. This is expressed in lower taxes and reduced bond issues for the future.

LONDON'S METROPOLITAN GOVERNMENT

CONCLUSIONS AND RECOMMENDATIONS OF THE ROYAL COMMISSION

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Concluding installment of the article begun in the August Review

II. Proposals Laid Before the Commission (continuation)

ADMINISTRATION

The majority[1] of the commission, however, found themselves compelled to decide that the "evidence submitted does not convince us that any greater efficiency or economy in the administration of local government services in London and the surrounding districts would be attained by any alteration of the existing system on the lines proposed by the London County Council, or suggested by other witnesses."

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[1] The majority report was signed by only four members of the Commission: Viscount Ullswater (Chairman). Sir Horace Cecil Monro, Sir Albert Gray, and Mr. Edmund R. Turton. Sir Richard Vassar-Smith and Mr. Neville Chamberlain resigned before the Commission completed its labors. There were two minority reports, one by Mr. Ernest H. Hiley and Mr. George J. Talbot, and one by Mr. Robert Donald and Mr. Stephen Walsh.

A very brief résumé of their conclusions as to the difficulties of administration which were the basis of the council's proposals is: (1) that the difficulties for the most part do not differ in kind or degree from those arising in other parts of the country between contiguous authorities, and are capable of settlement by existing methods of conference and arbitration; (2) that the council have failed to prove any shortcomings in the administration of the outside districts such as would be remedied by inclusion in London; and (3) that, in so far as centralization of certain services is necessary, the area over which such services should be centralized must extend far beyond the limits within which the proposed central authority could efficiently operate.

Although all three judgments apply more or less generally to most of the services under observation, it appears from a study of the findings of the commission in relation to particular services that the first judgment covers especially allotments and small holdings, wholesale markets, fire protection, public health, education, and main drainage; the second, parks and open spaces, building acts, housing, and town planning; the third, transport, which may also be placed with those to which the second judgment applies. Too much emphasis, however, should not be attached to this rigid classification.

The majority report, then, failed to recommend the extension of the dual system of government to the districts surrounding London. But it did recommend the establishment by statute of a London and Home Counties Advisory Committee to advise the appropriate minister responsible to parliament in the administration of the interallied services of transport, town planning, housing, and main drainage.

It was suggested that the committee consist of not more than twenty-one members representing the local authorities and others concerned, such as the police authorities, transport undertakings, transport users, and labor organizations affected, in the area of the London and Home Counties Electricity District, which includes London and the country within a radius of about twenty-five miles from its center.

The effect of carrying into execution the recommendation of the commission on the transport situation until then obtaining in London would be to attach statutory character to the work of a previously existing technical advisory body connected with the ministry of transport, a body which, although purely voluntary and relying merely on the goodwill of the authorities and interests concerned, had proved very helpful. The functions recommended to be included among those assigned to the committee are: "(a) action in regard to Parliamentary and subordinate legislation; (b) action in regard to the fixing of building or frontage lines on roads; (c) all that may be comprised by the expressions 'co-ordination in the public interest of all passenger transport agencies,' and 'the application of remedies in respect of all factors impeding street locomotion,' and 'scientific research work in relation to the problems of transport and traffic'; (d) the apportionment of the cost of improvement schemes or other projects affecting the areas of several local authorities between those authorities; (e) the prescription of routes to be followed by particular classes of traffic; and (f) action in the sphere in which transport and town planning problems are inseparably connected."

The majority report also recommended that there should be added to the duties of the advisory committee "in relation to the question of transport facilities . . . [the duty of assisting] . . . the departments concerned in examining the various town planning schemes proposed within their areas and seeing that they harmonized," and "the duty of advising the minister upon the equitable allocation of working-class houses proposed to be erected by local authorities between the areas of authorities within the purview of the Committee," and "the duty of advising the minister upon the admission of sewage from the area of a local authority into the existing main drainage system of another authority, the combination of existing main drainage systems, and the equitable adjustment of the resulting charges."

EQUALIZATION OF BURDENS

As to the equalization of rates, the summary of recommendations and conclusions in the majority report contains this:

"The existing administrative system in London, though it includes measures of equalization of rates, leaves wide differences in the amount of rates payable by ratepayers in the various metropolitan boroughs. In the remainder of Greater London, where there is no substantial measure of equalization, the differences are even more marked.

"The existing inequalities in the distribution of local burdens are unjustifiable and should be reduced.

"Districts surrounding London which are closely united with London by business ties should become partners with London in the new measures of equalization required.

"A statutory scheme for the further equalization of rates should be applied over an equalization area including the administrative county of London and the 55 urban areas wholly or partly within ten miles from Charing Cross.

"An Equalization Fund should be established consisting of:

(a) The produce of a rate of 1 s. 6 d. in the £ per annum levied uniformly over the equalized area, to be known as the equalization rate (general); and

(b) The produce of a rate of 1 s. in the £ per annum levied uniformly over the equalization area, to be known as the equalization rate (poor).

"So much of the fund as is the produce of the equalization rate (general) . . . should be distributed among the local government units included in the equalization area in proportion to the day population of each unit.

"So much of the fund as is the produce of the equalization rate (poor) . . . should be distributed among the parishes included in the equalization area:

(a) as to one-third, in relation to the night population of the included unions or parts of unions;

(b) as to two-thirds, in relation to the numbers of the night population of the included unions or parts of unions living in overcrowded conditions, that is, more than two persons to a room.

"The equalization scheme would replace existing measures of equalization in London. . . .

"A uniform system of valuation should be in operation throughout the area before the equalization scheme is brought into force.

"The scheme is founded in principle on the widely accepted doctrine of the community of interest between the inhabitants inside and outside London," and "distributes burdens and benefits among all districts which can fairly be said to compose the community of London in the widest sense.

"The scheme diminishes the existing inequalities in the pressure of rates," it "assists the provision of services for the benefit of the whole population who work inside London and sleep in surrounding districts," and it "gives special assistance to those districts in which the cost of the poor law is most burdensome.

"The scheme offers no inducement to inflate expenditure, since it does not provide for payments which vary with expenditure or for grants to meet the cost of particular services"; it "does not involve any examination of, or controversy upon, the expenditure of local authorities"; it "can be rapidly and easily worked out from figures already collected for other purposes"; its working "does not involve the creation of any new central or local authority or post."

The subscribers to the majority report also declare that the "equalization rates which we have recommended therefore represent roughly half of what would have to be raised over the whole area to meet the total expenditure . . . on poor law services and on the main local government services (excluding those of merely local concern and those in respect of which exchequer grants of 50 per cent or upwards of the expenditure are made.)"[1]

CONSIDERATIONS AFFECTING THE DECISION OF THE COMMISSION

The main considerations, apart from their findings in relation to individual services, which impelled the majority to their decision seem to be: (1) their estimate of the importance of historical conditions, of the "sense of separate corporate existence and civic responsibility" some local areas within the London district have possessed for such a long time; (2) their fear that the present friction between the boroughs' councils and the county council within London as to the apportionment of powers between them and the mutual distrust might be experienced in a greater degree if the area of centralization should be enlarged; (3) their judgment that the present local governing bodies are highly efficient as they are and that increasing the centralization would have unwelcome but certain results in the form of advanced cost of administration per head of population; (4) their appreciation of the strenuous opposition presented by the other authorities concerned to the proposals of the London County Council and any others like it.

The last consideration seems to have been of especial weight in influencing the commission. For but with one exception, the proposals of the London County Council received the approbation of no local authority concerned. The extent to which local authorities in England look upon their neighbors as alien bodies is very often difficult for the unitiated to understand. They are considerably overgiven to a legalistic attitude and very often lose sight of wider interests in their desire to extract to the full by a rigorous interpretation of statutory provisions all privileges and the most advanced status granted them at any time in the past. The causes of the conflict, however, appear to be as much financial as sentimental; rating bodies are intensely interested in the effect of proposed readjustments on the burdens they are compelled to shoulder.

It is therefore not strange that we find one of the mainsprings of the almost universal opposition called forth among the local authorities by the County Council and similar schemes to be of a financial character. Ratepayers are very keen to resent any increases in local charges that might follow from changes in boundaries. Such changes may produce that result by separating from a local government unit those portions of its area which contain the high ratable values, or uniting it with another administrative unit subject to greater financial burdens and a larger expenditure. The commission has to say, in respect to the local authorities, "It was to be expected that their attitude towards the proposals would be largely influenced by their anticipated effect on their rates; that those who foresaw an increase of rates would resist, while those who expected relief would favor, the Council's scheme. We found, however, that the objections were not wholly, nor, except in one or two cases, mainly, based upon these considerations, and that most of the authorities in whose areas the rates are heaviest were unwilling to fall under the jurisdiction of such a central authority as was proposed." Even the most favorably situated districts admitted the equity of further measures of equalization.

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[1] *Report*, p. 110. The scheme of the commission, if carried into effect, would burden most (by 1 s. 8 d.) the rates of the borough of Westminster and relieve most (by 3 s. 3 d.) the rates of Bethnal Green. (*Report*, p. 125).

Financial objections, then, were important but not alone. Representations were made that the continuity of the history of the county areas should be undisturbed; and the county councils pointed out that the balance of their administration they had painstakingly set up would be overturned. The peculiar position of the dormitory areas was stressed, in which connection it was declared that the workers were interested in the local government area in which they lived, and not the one in which they worked. Much criticism was cast at the size of the areas contemplated by the London County Council, opinions nevertheless differing very greatly as to how far the proposals needed correction in this respect. The smaller and more outlying authorities feared that their representatives on a new central authority would be submerged by the preponderance of representatives from Inner London, or in any case that their representation would be less complete than it is now. It was claimed that it would be seriously difficult to secure combinations of districts to form the new areas. And it was objected that a central authority over the area suggested would be incapable of proper administration, and also that an excess of power would probably finds its way from the elected members to the permanent officials.

The main arguments had to do rather with the general effect of the new proposals. "It was clear that almost all the existing local authorities attached the utmost importance, first, to retaining their separate identity (subject to any amalagamations on which they and their neighbors might voluntarily agree), together with all the powers of administering local government services which they now possessed; and, secondly, to avoiding any diminution of the detailed knowledge of local conditions, and the interest in local affairs, which were now exhibited by the members of their governing bodies and by the inhabitants who elected and controlled them."

Since the report, criticism has come from certain sources on account of the procedure the commission adopted. It has been declared that they committed a fault in not looking into matters and submitting a plan on their own initiative, instead of relying so greatly on suggestions cast at them. The commission even say, "We must, however, form our conclusions upon consideration of the evidence which we heard, and not upon any assumption in regard to evidence which might have been placed before us." And the phraseology of their conclusions indicates that they abided by that principle with some degree of consistency; we find frequently such expressions as "the evidence submitted does not convince us," "no evidence has been adduced," "the weight of evidence is against the view," etc., etc.

Another feature of their procedure that handicapped the commission was that as a result of their natural decision to invite the evidence first of the London County Council, the succeeding authorities and other witnesses became quite generally subject to a tendency to confine their testimony to a criticism of the defects in the council's plan without offering more material aid towards the solution of the problems. The commission declared the unfortunate consequence to be that, because the London County Council did not themselves attempt to condemn particular operations of local government bodies outside London, not sufficient illumination was thrown upon actual or possible lapses from efficiency and economy in those areas.

THE MINORITY REPORTS

Of the two minority reports, the one signed by Mr. Hiley and Mr. Talbot, while admitting that it would have been justifiable for the commission to have stated that they had found it impossible to present a plan for reform because of the course the inquiry had taken, refused to agree that reform was either undesirable or impracticable.

Their solution of the problem took the form of a suggestion that the dual system of government should be extended to all settlements within ten miles of the center of London; and that the local authorities should have a status approximating to that of a county borough, should embrace districts of varying sizes if necessary, and should manage all services except such as can best be administered by a central authority, water supply, tramways, main drainage to be included among them. Further equalization of local burdens could be effected by pooling the minimum of expenditure essential for each district and leaving each to find for itself resources for greater expenditure. The report also stressed the need of immediate action as to sewage disposal and main drainage.

A second and more lengthy report was submitted by Mr. Donald and Mr. Walsh, containing many valuable observations and constructive proposals. Declaring their interpretation of the duty of the commission to be a wider one than that adopted by the majority, they advanced a series of recommendations to the effect that a new central authority for Greater London should be erected to take over from the present authorities and *ad hoc* bodies the administration, exclusively, of the following services: transport, town planning, mental hospitals and fever hospitals, small holdings, main drainage, water supply; and the administration, partially, of the following services: housing, education, provision for the poor, fire protection, parks and open spaces, markets, public health, river conservancies, supervision of building acts, and making of by-laws. They cast aside as palliatives the schemes providing for indirectly elected bodies or mere advisory committees and insisted that the majority of the population in Greater London desired a new directly elected, central authority as they did. Any other plan bristled with practical difficulties, they claimed. Local burdens, in their view, could be further equalized best by distributing from a common fund payments in proportion to the estimated current expenditure upon services locally administered.

They devoted considerable attention to the question of transport, and after declaring the existing system of competition to be a failure and recognizing the legal, financial, and practical difficulties attached to a policy of public ownership in London, they maintained a system of co-partnership between the companies and municipal undertakings to be the one best calculated to secure the necessary co-operation.

ACTION UPON THE REPORT

There are two directions in which it is being hoped at the present moment that the position in London will change for the better.

In regard to the supply of electricity, negotiations are under way, the commencement of which antedate the Report of the Royal Commission. Since 1913, the London County Council have been very earnestly encouraging the promotion of some agreement whereby the 43 municipal and 42 company undertakings in the London and Home Counties Electricity District might be worked in conjunction. At present, the proceedings, which are voluntary in character, are in the hands of the electricity commissioners for Great Britain. It is being attempted to arrive at an understanding and to secure the passage of certain legislation at present impending, which will have for their effect the setting up of a joint electricity authority to represent all the undertakings in the district.

"The heads of the settlement broadly provided that, subject to the establishment of a joint electricity authority for the district, and to a satisfactory sliding scale of prices and dividends being agreed, the London County Council would agree to the suspension until 1971 of their powers of purchase of the undertakings of the London Electricity Supply Companies (first arising in 1931) in return for which the companies were (i) to be empowered to amalgamate; (ii) to transfer their undertakings to the joint electricity authority at the end of the extended tenure, namely, in 1971, on certain terms and conditions; (iii) to have administrative and financial independence but to be subject to control by the joint electricity authority, with appeal to the commissioners, in regard to technical development, the disposal of surplus energy beyond that required for the united needs of the Companies, and to capital expenditure which would ultimately be repayable by the joint electricity authority."[1]

In the second place, the London Traffic Act, 1924,[2] has been passed, based substantially on portions of the recommendations made by the Royal Commission. For the purposes of the act, the London traffic area consists of the familiar circle, approximately, of 25 mile radius about the center of London. The principal executive authority in regard to traffic throughout this area is to be the minister of transport. He is to be assisted by the London and Home Counties Traffic Advisory Committee. The committee is to have twelve ordinary members, one appointed by a secretary of state, one by the metropolitan police, one by city police, one by the minister of transport, and the rest by the local authorities within the area, acting through joint committees. Persons appointed by local authorities must be members of them. There are also to be seven additional appointees, not to form part of the advisory committee when certain questions in which they are unconcerned are under consideration, to form part of the committee only at the direction of the minister of transport when certain other questions are under consideration, and to form part of the committee in their own right when the remaining questions are under consideration. Three of the seven are to be appointed by the minister of labor as representatives of the interests of labor engaged in the transport industry within the area; the other four are appointed by the minister of transport as representatives of the providers and users of means of transport services within the area.

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[1] *Fourth Annual Report of the Electricity Commissioners* (1923–1924), p. 29.

[2] 14 and 15 Geo. 5, Ch. 34 (Aug. 7, 1924).

The purpose of the committee is to give advice to the minister of transport concerning the co-ordination and improvement of transport services, the mitigation of traffic obstruction, the necessity of changes in traffic regulations, the improvement of road communication, and generally to aid the minister in the performance of his duties relating to London traffic.

Besides having under the terms of the act power to regulate traffic generally in the area, the minister can prescribe the times when the various road authorities may close the streets or otherwise obstruct traffic for the execution of street improvements. Among the most radical provisions in the act is the one which allows for the first time, limitation of the number of omnibuses to appear on the congested streets in the city and the metropolitan police district. Further, the powers of the police authorities to regulate omnibuses plying in the city and metropolitan police district are added to very considerably, appeals from their decisions lying in the minister of transport.

Voluntary action, however, is still much relied upon for the co-ordination and extension of transport facilities. Nothing in the act, for example, is to be construed as giving power to the minister to compel a local authority to incur expenditure for the improvement of roads without the consent of the authority.

The act, being merely an experimental measure, expires in December 1928.

In the period of time that has elapsed since the appointment of the advisory committee until this writing, they have convened twice. An official report declares that the committee have been active in preparing a list of alternative routes that they suggest to traffic customarily employing crowded thoroughfares and in drawing up a list of streets on which they recommend the minister to restrict the running of omnibuses. Following the second meeting, the minister issued a notice to the effect that he was proposing to restrict the numbers of omnibuses on certain of the London streets. It is interesting to observe the degree of excitement aroused thereby in some quarters.

OUR CITY COUNCILS

V. CHICAGO'S TIME CONSUMED BY DETAILS

BY EVELYN L. BARTH

Reproducing the atmosphere and manner of working of the Chicago board of aldermen. Another article in our series on city councils.

THE Chicago city council is a good example of a political anachronism. This is not due to any lack of ability on the part of the councilmen, most of whom are able men. It does not result from an inability to understand the problems of city government. It results rather because an institution, adapted to the needs of a city of one hundred thousand population, is trying to function for a city of three million. The plain truth is that Chicago has gotten too big. It has sprawled and squirmed over many square miles and stretches along miles of lake front. Yet the city council has not been modified to meet the needs of such a colossus.

What is the main business which the council performs? It is the same business which a council in a city of three thousand performs. It carefully supervises the administration of many laws, no one of which is very important, in their application to many specific situations. The tenement law permits only one basement flat in a tenement house. Possibly, there should be exceptions to this law, exceptions which the health and building department should normally pass upon. Yet, time and again, the building and zoning committee has been called upon to consider exceptions. Each administrative detail is brought before the proper committee, and then is duly passed upon by the entire council. Literally, the council is immersed in a labyrinth of details,—of petty orders and insignificant ordinances.

The solution to the problem would necessarily involve rigorously excluding from the business of the council any but the most important matters. Some sort of a formula must be worked out for determining when a matter is of sufficient importance to require the council's attention. It is easy enough to say that the council should pass only upon matters of general policy, affecting the entire city, and that detailed administration of these policies should be left to the departments. It is not so easy actually to carry this precept into practice. There are so many men who will benefit by a minor exception to the building code, for example, that it is difficult to prevent appeals to the ordinance making body. Yet something must be done. It might not be amiss to adopt the heroic measure of prohibiting special rules where a general one is applicable. In many ways the city of Chicago is itself a metropolitan area. It might be well to decentralize the work of the council to considerable degree. The London model of a series of subordinate councils, with power over local improvements and local building operations, might conceivably be a solution. Certainly, it deserves investigation.

THE COUNCIL IS NOT SPECTACULAR

If you visit the Chicago council, expecting to see an interesting spectacle, you will probably not have your expectation realized. In many ways it is downright commonplace. There is nothing spectacular about it; nothing romantic in its custom or procedure, nothing startling in its membership. It is a far cry from the council of the medieval city,—the council of the old city of London, for example, with its regalia, pageantry and display. There are no silver tongued orators; there are merely plain, unemotional speakers. The chamber is not nearly so pretentious as the lounge of a modern hotel. Noble city fathers have become plain ordinary business men. The heartfelt cry, *pro bono publico*, has given way to the question, how much does it cost?

The chamber itself is a room ninety-seven feet wide and sixty-one feet deep, done in English oak Renaissance style, and lighted by eight showers of lights. At the front of the room there is a raised dais at which the mayor, who presides at the meeting, sits. Directly in front is a semi-circular platform for the clerk and reporter. A few steps beneath this platform are the seats of the councilmen, arranged in three concentric semi-circles, each a little higher than the first, the floor sloping gradually to the gallery in the rear. Above the mayor's seat is a clock of gold hands and numbers and a panel of volatile shapes typifying electricity. Beginning on either side of the clock are other allegorical figures forming a border around the entire wall. If you ask the room clerk about them, he will refer you to a book in the reference library which is quite fragmentary on all details except costs. The conventional figures of Justice, Peace, Law and Order are, however, unmistakable at first glance.

If you are late at the meeting or if a raise in salary for some particular class of city officials is under discussion, you will be sent to the upper gallery. Otherwise, you can take our choice. Though the gallery seats only four hundred and the population is around three millions, you can usually find a seat. If you wish to see the aldermen, you choose the upper gallery; if you wish to hear them, the lower. In either case you look down upon a prosaic scene. Probably you move about too much and feel the cold eye of the guard upon you, but you are not impressed. An oak sign with red and gold lettering warns you if you would smoke; though the air is already clouded from the lobbies opening into the assembly, and several councilmen have entered with cigars in their mouths.

The mayor enters and takes his chair, several men clinging and speaking to him on the way to the dais. The gavel sounds, the clerk announces roll call, the secretaries carry petitions and reports of aldermen and committees to the clerk's desk. Aldermen loitering in the anterooms are summoned. Perhaps, the roll call will have to be repeated; at any rate, it will have to be corrected.

NO ORATORY

Discussion of ordinances and orders begins. There is no emotional oratory. Speakers of exceptional merit may advance arguments, but their appeals will be to reason and facts. You experience no great thrill. There is little dignified solemnity. Possibly an alderman's announcement that he had forty phone calls in an hour from citizens in favor of his proposal may give you a slight satisfaction in your importance as a voter, but that is all. After a time the cold matter-of-fact speech will become tiresome to you,—

has long been wearisome to those two aldermen in the rear who are settling down to a friendly chat. Still you may be fortunate enough to have one diversion. You notice that your neighbor in the gallery has suddenly joined the discussion. From his questions and the angry rejoinders below, you learn that he is a defeated aldermanic candidate. For a minute you are mildly interested,—then bored.

They waste little time, however, in discussions. There isn't time enough. Like the big bustling city it represents, the council has to travel fast. Bill after bill is rushed through with only one reading. Often there is no discussion whatsoever. The chairman calls for a vote, an alderman says "pass" in tones barely audible above the first gallery, the chairman's gavel descends, and without further formality another ordinance has been added to Chicago's bulky collection.

There is little wrong with the rules. Should two aldermen object, any bill must be printed for each member's consideration, but this is rarely done. The process of passing bills without a roll call and without the printing of a memorandum is known as the "omnibus." One committee is said to have had fifty-four ordinances passed in this way at a single session. Nor is this at all incomprehensible. If each ordinance had to go through a long formal procedure, not one-tenth of the detailed business could be accomplished by the council. Necessity dictates parsimony in consideration. Most of the work is done in committee. What has happened is that the council, through the necessity of economy in effort, has divided into a number of small legislatures, which give the ordinances about the only consideration they receive. The size of the governed territory, the amount of business, and the size of the council, which contains fifty members, compel a use of the committee system. With a small committee, some care can be given to the details of proposed ordinances. With a membership of a representative character on the committees, consideration may be just as valuable. In addition, with the exclusion of an audience, discussion can be to the point and much more open. Of late this method has become almost the sole one in routine legislation. It is this fact which gives one the impression that the Chicago council is a smooth, well-ordered mechanism.

COMMITTEES ALL-POWERFUL

Committee reports are almost always passed in the "omnibus." The committee is omnipotent. There is no specified date for reports on bills. It takes a majority of the council to compel a report. Many bills are forgotten by the council, and lie in committee year after year.

Committees are selected by a committee on committees. This committee is chosen by each new council at a caucus, and it is composed of five members. After the committee has been selected, it retires to Florida to select the members and chairman of the sixteen standing committees. Their slate is invariably adopted by the council at its first meeting. A late departure is the disregard of proportional representation on the committee on committees. Though at this moment the Republicans have twelve men in the council, they have no representative on the committee, and no chairmen of important committees.

The procedure in the council is not at all unique. The roll is called, the journal read, the committees heard in the way that these formalities are usually gone through. Debate is limited to five minutes for each alderman, and each may have only one turn until every one has spoken. The rule providing for presentation of aldermen's petitions in order of wards, alternating between the alderman from ward one and ward fifty, in the interest of fairness, is not so general. Meetings begin at the place of business reached in the previous meeting unless the council, by a vote of two-thirds, favors a different place.

THE MAYOR'S SPHERE

The mayor's position, theoretically, is of little importance. He presides at meetings. He appoints executive chiefs, but with the confirmation of the council. His veto may be overruled by a two-thirds majority. He may introduce measures only as an ordinary citizen by petition to the clerk. Practically, his sphere of power is much greater. His appointive power gives him great patronage. Though local elections are non-partisan, the issue is frequently for or against the mayor. If the council is with him, he can influence the council as he pleases. His veto as a means of attracting public attention to unwise proposals is no inconsiderable weapon.

State law, revised in 1919, gives the council ninety-eight powers. These cover the usual powers exercised by a city council. Some of them are merely amplifications of other powers and could be left out. However, the judicial rule, which interprets municipal grants of power in accordance with the letter rather than the spirit, has caused the Chicagoans to desire that every power be stated as specifically as possible. In addition, the constant struggle between the council and the legislature has given the council the attitude of the fearful widow who said "Let it be writ" in any business venture.

The relation between the state legislature and council can only be compared to a pitched battle. The legislature can veto anything the council suggests. The council can veto any intervention by the legislature. To the people from downstate, Chicago appears as a Santa Claus from whom they are continuously striving to obtain taxes. Sometimes an increase in assessed value for state taxes is secured, and the flow from Chicago to the treasurer's office is materially increased. At present an effort is being made to decrease the Chicago membership in the legislature forty per cent, thus weakening Chicago's ability to object. Accordingly, the council must be always on the *qui vive* in its struggle against the remainder of the state. A recent example was the bill to grant indeterminate permits to public utilities within municipalities. Chicago representatives successfully opposed this restriction upon home rule, supporting their stand by one of the aforementioned ninety-eight powers.

Occasionally state legislation, though infringing upon home rule, is beneficial. Such an instance was the state zoning act, which the council opposed, but which has given untold benefits to Chicago. Nevertheless, there is little doubt that state and county intervention are a nuisance and cause great waste in wealth and energy.

CALIBRE OF MEMBERS

In point of education and political experience, no charges can be brought against the council. Of the fifty, twelve are lawyers and several are college graduates. Several have held political positions previously. One was formerly chief investigator in the state attorney's office; another, assistant attorney general of Illinois; still another was assistant comptroller of Cook county preserves. Over three-fourths have served in the council before. The veteran is serving his thirty-fourth year. A close second has thirty-two to his credit. Many have had experience as officers in local organizations. Among the non-legal constituents are two insurance agents, a grocer, a florist, two salesmen, a soft drinks proprietor, a cartage contractor, an investigator, six real estate men, two undertakers, a conductor, a shoe merchant, a coal dealer, several owners of manufacturing establishments, and a president of a middle sized bank. Thus, a great many industrial interests are represented. Education and political experience have produced several leaders; yet several of the most enterprising have come from the less educated group. The variety of interests in the council is multiplied in the interests of the constituents. Capital and Labor exert their pressures. Various local organizations which have compromised on candidates demand consideration. Hundreds of organizations demand attention; hence, lobbying and investigation. Of some aldermen it is said that their sun rises and sets in investigation. Investigation is expensive and timetaking. Members are frequently accused of violating the *summum bonum* for private advancement.

No panacea can be offered for this situation. Yet several improvements might be made. At present, nothing except a majority can force a committee report on proposed legislation. Only a two-thirds majority can bring back a bill for reconsideration. Compulsory report on bills would remind members of proposed legislation. Passage in the "omnibus" should be made more difficult; the committee chairmen should be compelled to explain the meaning of bills. The law permitting the passage of a measure upon reading should be abolished. Speed is desirable, but the way must be clear before starting. Consideration of consequences should be deliberate. The state law providing for the stoppage of acts in the "omnibus" should be brought to the attention of the council. Knowledge of parliamentary law by all aldermanic candidates would make up for any time lost because of the foregoing changes.

FOUR YEARS UNDER THE OHIO REORGANIZATION CODE

BY JAMES K. POLLOCK, JR.

The following article is the result of a careful survey by an impartial student, unembarrassed by previous opinions on the much discussed administrative consolidation. :: :: :: :: :: ::

Enough time seems to have elapsed to bring forth some observations on the workings of the Ohio Reorganization Code of 1921. In one sense the time is opportune for such a survey, for both Republican and Democratic administrations have operated under it. It can be called a Republican measure but it is now in the hands of Democratic officials. It is natural that the present officeholders should not hesitate to point out what is wrong with it while at the same time indicating how their administrations have been benefited by it.

In another sense, the time is not opportune for such a survey. The code has been more or less the football of politics. There is still a feeling in some quarters that it was politics and nothing else that prompted its enactment, and too frequently a person's opinions are colored by his politics. And again, it must be said in all frankness that the last two administrations, one Republican and one Democratic, can hardly be taken as fair samples. In other words, the code has scarcely had a fair chance. Mr. Davis had only a year and a half in which to get started before the end of his term, and the political controversy in which the matter was involved prevented many accomplishments in the short time. The present governor, although approving of the idea underlying the code, is lukewarm to it, and has failed to take advantage of the possibilities of further co-ordinating the state government under the code without legislation, because he has very little interest in the constructive solution of governmental problems. Under these conditions and with these handicaps the writer has prepared the following survey.

VARIETY OF OPINIONS ON DETAILS

Considerable light can and should be thrown on the workings of the Ohio government under the reorganization of 1921. The movement for administrative reorganization is going on apace throughout the country and whatever experience is available should be utilized. The Ohio reorganization, although statutory and not affecting the constitutional arrangements, may be taken as a fair example of what can reasonably be expected in other states that contemplate such reorganizations. Perhaps it might be better to say that other states may reasonably expect to achieve at least as much as Ohio has achieved under its reorganization.

There is a great variety of opinion regarding the details of the reorganization. Scarcely anyone will claim that the code as it stands, needs no change. Most informed persons have been able to learn after four years of experience, that certain provisions of the code are wrong and should be altered. But on the other hand, there is unanimity of opinion to the effect that the general results of the reorganization have been good. Most competent observers who have served under the code or who have been in positions where they could follow its workings, agree that the present directorship principle is sound, and that the close supervision over the whole administration resulting from centralization and co-ordination of responsibility, has had good effect. Both governors have approved the general idea underlying the code and the great majority of their directors agree. But it has not been an unmitigated success and it gives opportunity for particular although not for sweeping criticism.

A closer survey of a number of executive departments will serve to bring out the defects as well as the good points of the reorganization. One general criticism which has been directed at the reorganization of several departments, especially the departments of public welfare, health, highways, agriculture and education, is that there cannot be the necessary continuity of policy as long as the departments are run on the principle that each governor has the right to choose his own directors. The various non-partisan organizations such as the Farm Bureau Federation, the Ohio Public Health Association, the Ohio Good Roads Federation and certain charitable organizations all base their criticisms of the reorganization code upon this one arrangement which makes the head of each department a political head. They feel that better directors will be chosen and a more continuous and effective policy will be had if the power to appoint the director of the department is vested in some large unsalaried board whose members have over-lapping terms. This, they feel, will remove the work of the department from politics and insure more efficient administration. Several of the directors of these particular departments have joined in with this criticism, and since it constitutes the most important objection to the present arrangement, it deserves consideration.

ADMINISTRATION NOT POLLUTED BY POLITICS

There has been a great amount of talk about taking this department and that department out of politics. The assumption is that the particular department is managed on a partisan basis; that politics is interfering with the technical work of the department and thus lowering its efficiency. But upon examination of the departments whose work is largely technical or whose work should be farthest removed from any connection with partisan politics in the bad sense, namely, such departments as health, education and welfare, it is difficult if not impossible to find where the administration has been polluted with politics. According to the opponents of the present directorship arrangement, the frequency of change in the headship of the department interrupts policy and results in changing personnel. If policy were interrupted and if there were shake-ups in personnel, then the objections would be well grounded. But such does not seem to have been the case during the past four years. In the health department for instance, there have been two different directors, one a Republican and one a Democrat. Neither director was very widely known for his ability in public health matters before he was appointed, but neither director has been guilty of making a single political change in the personnel of that department. Both have been content to follow the policies laid down previously and to drift with the department. Due to their inexperience and shortness of tenure they have not been able to make many positive contributions, but they have in no sense played politics, and the department has not suffered from their incumbencies. There being no politics in the department, why is it necessary to remove the department from politics?

The criticism of politics in administration is not therefore well founded. Of course it is quite clear that the short term of the governor prevents the director of a particular department from becoming thoroughly acquainted with the work of his department so that he can make positive contributions for its improvement. But the legislature has presented to the people for their approval in November a constitutional amendment which would extend the term of the governor to four years. If this amendment passes, the greatest objection to the code will have disappeared, because with a director in office for four years, possibly eight, he would be enabled to become as well acquainted with the work of his department as can reasonably be expected. It is very clear that the short term of the governor in Ohio has prevented many improvements that otherwise would have come with the code. The most serious obstacle to the efficient working of the code has been this short term, and if a four year term is adopted by the people of Ohio in November, 1925, most of the wind will be taken out of the sails of those organizations which now claim that the political directorship principle is bad because it does not permit of continuity of policy.

DEPARTMENT OF PUBLIC WELFARE

In the department of public welfare there has been no serious charge of politics in administration. With slightly over 99 per cent of the 3,000 employees of this department serving under civil service regulations, there can hardly be much politics in personnel matters, and with the control of purchasing in the hands of the superintendent of purchases and printing, it cannot be said truthfully that politics is affecting the purchase of supplies through the director of public welfare. Everything has not been well with the department. A number of intelligent persons have criticised the present arrangements, especially as these arrangements affect state charities. The present director of public welfare in his annual report recommended the restoration of the old board of administration, a bi-partisan board of four members with over-lapping terms, because he felt "that the work and scope of this department is too large to be efficiently and successfully operated by one man, and that it is a physical impossibility for one man to do what should be done." The first director under the code did not think this way. The present director has not appointed an advisory board such as the code permits, while the first director did appoint such a board. Perhaps this partly accounts for the difference of opinion between the two. Other persons feel that where one man is charged with so much responsibility over so many state institutions there is too much chance for politics. Such persons apparently feel that "two heads are better than one even if one is a cabbage head." Despite all these criticisms it appears to the writer that the present organization of the department is such as to encourage efficiency and has actually produced good results. It is possible that greater power over purchases should be given to the department, practically every person connected with the department agreeing with this. But further changes such as the restoration of the old board of administration and the old state board of charities, do not seem warranted by the experience of the past four years. There probably should be some advisory board such as the code permits, with power of review and suggestion, but not with executive authority, to function through the years and advise new directors as they come with each succeeding administration.

HIGHWAYS AND PUBLIC WORKS

The department of highways and public works presents a more difficult problem. This department disburses more money than any other department in the state. In the fiscal year 1924, $21,000,000 was expended by the department on maintenance and new construction. There are probably more opportunities for irregularity in the work of this department than in any other department in the state government, and there should be the strongest insurance against graft and profiteering. With regard to this department it has been suggested by non-partisan organizations interested in good roads as well as by the present director, that the head of the department should not be under the control of the governor but should be appointed and controlled by a board of non-partisan members with overlapping terms. This suggestion comes from the belief that politics could be largely eliminated from road building if the governor did not have the power to interfere with the work of the department.

There is no doubt about executive interference with the highway department under the existing system. The governor actually influences the appointment of engineers and inspectors, and he even tries to dictate the type of road to be constructed and other technical matters. Thus there is politics in the highway department and politics of the worst kind. This condition exists despite the desires of the highway director who is an engineer and not a politician. The powerful political influence that can be exerted through the control of the highway administration, under present conditions at least, seems to be too tempting for governors to avoid. The result is waste, inefficiency, and petty politics. Since highway positions are not under civil service regulations there is no check similar to the check on the personnel of the department of public welfare for instance, which would tend to eliminate the spoils system.

Some people hope that with the right kind of governor, such playing of politics in highway matters will cease. Others feel that until the director of highways is taken out of the control of the governor, politics and highways will continue to mix. In any event, the code as it has affected highway administration has not been successful, and there is a general consensus of opinion to this effect. Perhaps conditions have not been worse than formerly, but at least there has not been any improvement.

Criticism of the department of agriculture seems to be without much foundation. Both directors under the code are unstinted in their praise of the department as at present organized, and they feel that a distinct improvement has been brought about. It would be difficult to find a better organized department of agriculture than the state of Ohio possesses. The question as to the ability of the personnel is another matter which will be considered later, but even in this respect, it is clear that there has been increased efficiency with a consequent saving of money since the code went into effect. The first director under the code, a man who later became head of the National Grange, estimated the savings in his department to be in excess of $150,000 per year. The code provision concerning the agricultural experiment station has eliminated much friction and duplication. It is possible that the state board of agriculture should have more power and should be a more permanent body with power of review and suggestion, but not with executive authority.

EDUCATION

The method of choosing the director of education meets with the opposition of the Ohio Teachers' Association. This organization suggests that a better educational system will result if the director of the department is chosen by a board selected by the governor without regard to politics. Great care should certainly be exercised in the appointment of a director of education, but since this office is a constitutional office in Ohio, the incumbent is in office for four years and a new man is not appointed by every governor. There are no indications that the director of education is prostituting his office to partisan politics, and the Ohio Teachers' Association is careful to say that no criticism of the present director is intended. Only as a matter of principle they feel that a better director and a better educational policy will result from the choice of a director by a method different than the present one. But such a change would disrupt the existing unity in state administration and does not seem to be demanded by present conditions.

Thus in the case of only one department, namely, highways, does it seem necessary to make any change in the method of selection of the director, a change which amounts to a more serious limitation upon executive responsibility and control than exists at present. The combination of a political head with expert under-personnel seems to have been satisfactory and a change to commission controlled directors in the other departments does not seem desirable.

It is natural to find these non-partisan organizations desiring a different method of selecting the director. Under existing arrangements, they will probably be consulted as to the choice of the director of the department in which they are particularly interested, but they will not have as much influence over the selection of such director as they would have if a board selected a director. It seems better to have the centralized responsibility resulting from the governor controlling the heads of departments, provided his term is long enough, than it would be to have such departments controlled, at least very strongly influenced, by non-governmental organizations. Have we not enough of this kind of influence already?

NO UNUSUAL CHANGES IN PERSONNEL

In the matter of personnel, the code has had little effect. The changes in personnel have been almost the same under the code as formerly, but it is possible that the entire system has been stabilized more firmly. In several departments there have been no changes worth mentioning. In several important bureaus, there have been no changes even though there have been administrations by two different parties. The division of banks is a good illustration of this. In 1921 the Ohio Bankers' Association opposed the adoption of the code partly because it feared the shortness of the term of the superintendent of banks as proposed would disrupt the good organization and efficiency which then existed. Under two different governors of opposite politics, however, the same man has held the office of superintendent of banks. This continuity in office has been exactly what the Bankers' Association desired, and hence they have no complaint.

There has not been any reduction in the number of state employees under the code nor has there been any noticeable increase. Here and there one can discover unnecessary positions. For instance it is sometimes suggested that the office of director of industrial relations is perfectly useless and entirely unnecessary, and might well be abolished. Certainly the work now performed by this director—very small in amount—might be taken care of by the industrial commission with as good results, and there would be one less highly paid position.

If the director of finance should carry out all the work laid out for him in the code, he would be kept busy. But under present conditions, there is not a little duplication of work as between the auditor of state and the director of finance, and the latter has not attempted under either administration to carry out his powers to the full. Of course both the offices of director of finance and director of industrial relations were created to bring about centralized control in the hands of the governor. In the case of the department of finance this reason is sufficient to justify the creation of the position of director of finance, but in the case of the director of industrial relations the reason is not valid. If the industrial commission should be abolished and the work now performed by the commission should be given to the director of industrial relations, the position would not be a useless one. But with both the commission and the director in existence, the latter has what would be called in common parlance "a nice job."

NO IMPROVEMENT IN ABILITY OF PERSONNEL

There has been no appreciable improvement in the ability of the personnel of the state government under the code. In fact, speaking generally, and of course there are notable exceptions to this, it appears as if there has been a considerable lowering in the type of administrative talent brought into the service of the state. This fact gives justification to the statement that under a poor governor, the code is probably not as good as the old form of administrative organization. This statement is likely true as regards the ability of the personnel, even though it does not seem to be true as regards the general efficiency of the government, which has felt the quickening touch of better supervisory control.

The manner in which the reorganization affected the three important state commissions, namely, the tax commission, the public utilities commission and the industrial commission, has been distinctly bad. It is the almost unanimous opinion of the members of all these commissions, that the provisions of the code which placed them under the departments of finance, commerce, and industrial relations respectively, has resulted in lowering the morale and efficiency of the commissions. Such a result is quite natural when one realizes that the power to hire and discharge the employees of the commissions is not lodged with the commissions but rather is lodged with the directors of the three departments. Can one reasonably expect employees who owe their positions to a director to pay as much attention to the desires of the commission as they do to the desires of the man who appointed them? The mistake of the code provisions which placed these three commissions under the three directors "for administrative purposes" has been appreciated very generally, with the result that in the last legislature three bills were introduced which would have restored to the three commissions mentioned the control of their own employees. The bill applying to the tax commission was passed by the legislature, vetoed by the governor, but passed over the governor's veto by the legislature before it recessed. Another bill referring to the public utilities commission was passed by the legislature but vetoed by the governor, and the legislature by recessing has not been able to pass this bill over the veto of the governor. If the legislature should reconvene, it seems certain that it will pass the bill over the veto. The third bill relating to the industrial commission was not acted upon by the legislature. Thus it is seen that the Republican majority in the legislature realizes the objection to the present arrangements affecting these commissions, and it will likely be only a matter of time until there is an improvement in the form of a return to the conditions which existed prior to the reorganization. The code permitted the governor to designate employees and place them under the direct authority of any of the three commissions. But since neither governor has used this power, the legislators felt constrained to take the action described above. Incidentally there was a good deal of politics motivating their actions.

CENTRAL PURCHASE A SUCCESS

The part of the code which brought about a consolidation of the purchasing agencies of the state under one officer, the superintendent of purchases and printing, has unmistakably been an improvement over the old arrangement. In the matter of printing and in the purchase of paper there has been a great saving. In the fiscal year ending June 30, 1921, a year before the centralization of purchasing took place, the state paid out the sum of $208,338 for printing and $151,681 for paper. For the next fiscal year, ending June 30, 1926, the legislature has appropriated for printing the sum of $205,620 while the sum appropriated for paper amounted to $86,335. A saving of $65,000 a year in these two items is good proof of how the system is working. The superintendent of purchases and printing is able to buy in very large quantities and at prices lower than wholesale, and these two factors together with the centralized supervision over the letting of contracts lead to the saving mentioned. Even though centralized purchasing has been in effect for a comparatively short time, the various departments have come to learn about how much it will cost to do their printing for a year, and the sums appropriated by the last legislature for printing and paper show that for the next biennium the state will save a considerable sum of money over what it formerly spent prior to the reorganization.

Aside from printing and the purchase of paper, there are indications pointing to an improved system of purchasing the other supplies for the state, principally for the state institutions. Persons connected with the department of public welfare dissent from this, and there was considerable sentiment in the last legislature to restore to the department of public welfare the power to control its own purchases, and also the power to control the planning and erection of its own buildings, a power which is now held by the state architect under the department of highways and public works. A bill which would have done just this was passed by the house but failed in the senate. Since the purchase of most of the supplies for the state are made for the state's charitable, penal and correctional institutions, it is natural that the employees of the public welfare department should not be satisfied with an arrangement which gives to an outside officer the control over the purchase of such items as butter, flour, coal, clothing, etc. Formerly there was a much looser system for the purchase of supplies by each institution under the general supervision of an official under the board of administration. Under this former system there was a good deal of local favoritism without much regard to prices, and it seems clear that a considerable amount of this favoritism as well as a considerable amount of leakage has been eliminated by the present centralized system.

CONTINUITY IN PURCHASING OFFICE DESIRABLE

On the other hand there is no doubt about the difficulty of the task of buying for the state institutions. Undoubtedly it takes many years to learn the job. So few years have elapsed that one cannot expect full results until there is more continuity in the office of the superintendent of purchases and printing. In four years there have been three different superintendents, the present holder of the position having been in office for over two years. The first superintendent of purchases and printing started out very inauspiciously and many persons have never been able to become reconciled to the arrangement even since that time, despite the fact that it can be demonstrated that large sums of money have been saved during the last fiscal year. The report of the auditor of state for 1924 says that "due to this fact (the reorganization) and the manner in which the department is operated as to purchasing on specifications and under strictly competitive bidding, it was possible, despite the increased population in the state institutions, to operate on less money than last year, meaning an enormous saving."

The strongest criticism of the present centralized purchasing arrangement is directed at the shortness of the term of the superintendent. The first director of finance who is the superior of the superintendent of purchases and printing, recommended "for the good of the service that the superintendent of purchases and printing should come within the classified civil service, an arrangement which would assure longer tenure in office and in consequence the superintendent would be more efficient and conversant with the affairs of the purchasing department and all other departments and institutions of the state."

THE POLITICAL CABINET

One of the points stressed by the proponents of the reorganization at the time of its enactment was the improvement that would be brought about by the adoption of a system which would permit the governor to surround himself with a group of men, a cabinet, which could be summoned from time to time to deliberate about the business of the state, just as the president of the United States has a cabinet which he summons for deliberation on national policies. It is interesting to find how this cabinet idea has worked under the two governors who have had the opportunity of using it. Under the administration of Governor Davis there were weekly, occasionally semi-weekly meetings, of the eight department directors with the chief executive in the governor's office. The governor's problems and the problems of the various departments were discussed, with the result that the governor was kept in close touch with all the state activities, and the different departments were afforded a closer co-operation and acquaintance with each other and in certain cases a dovetailing of the work among them. It is the testimony of those who worked under this arrangement that a considerable amount of friction and misunderstanding was eliminated by the closer touch afforded by the system. Thus under the first governor since the reorganization, the cabinet idea worked and worked well.

Under Govenor Donahey with the exception of a few organization meetings at the beginning of his administration, there have been no cabinet meetings, the governor preferring to call in the different directors separately to talk over the work of the state government. His reason for not calling cabinet meetings is that nothing could be accomplished through such meetings which could not be accomplished through individual interviews with the directors. He also believes that state activities can be co-ordinated quite as well without cabinet meetings as with them. Hence he has not used the cabinet idea.

CHANGES AND AMENDMENTS

With the exception of the one change previously mentioned, namely, the change which restored to the tax commission the control of its own employees, there has been but one change made since 1921. This change relates to the question of pardons and paroles. In the reorganization, the board of clemency was abolished and the board of pardon and parole was created. In 1923 the board of pardon and parole was abolished and the board of clemency restored. This change was a good one, because under the board of pardon and parole two of the three members were already loaded down with work in the department of public welfare;

whereas under the present arrangement, the board of clemency is composed of two members who devote their whole time to its work.

Other changes in the code have been suggested and various improvements undoubtedly can be made. Governor Davis, who sponsored the code, has suggested a state inspection service to centralize inspection activities and thus avoid a large amount of duplication and expense. In the last legislature eight bills were introduced to change different provisions. Three referred to the department of public welfare, two referred to the public utilities commission, one to the tax commission, one to the industrial commission, and one to the department of health. Only one of these bills, the one referring to the tax commission, finally became law. No bill has been introduced which would repeal the whole code, and there seems to be no disposition to change certain of the basic features of the reorganization. It was generally understood in the last legislature that the code was not to be tampered with, and the lobbyists for the various non-partisan organizations had to be content, like the Good Roads Federation for instance, with having a resolution passed to investigate highway matters in other states. It has been stated that the present Democratic governor would have repealed the code if he had had a Democratic legislature behind him. But such does not seem to be the case, for the governor and most of his directors are satisfied with the basic features of the present system, the greatest criticisms offered by them being the shortness of the term and the failure of the reorganization to touch the two constitutional offices relating to highways and education. They believe in the centralization afforded by the code but they would have greater centralization.

SOME PEOPLE SUSPICIOUS

The fact that the politicians are for the code makes some people suspicious. They feel that any system which puts control of the administration so thoroughly and completely in the hands of one man is not good. Perhaps they are right when the state has a poor governor. But under an able governor the reorganization code gives evidence of working a great improvement over the old system. Under a poor governor perhaps it is not any worse, because there are certain compensating advantages.

To summarize, it is clear from four years' experience that steps can be taken to improve the code. Many persons believe that the directors of health, public welfare and education should be appointed by non-political boards rather than by the governor because they feel that better directors would be selected if party politics did not enter into the choice. There is quite general agreement that the three important state commissions should have restored to them the control of their own employees. The administration of the highway department demands a considerable change, and the system of centralized purchasing might well be organized on a different and more efficient basis. A four-year term for the governor will go a long way toward improving administrative conditions, and a careful check-up of the whole system will disclose some duplication and several unnecessary positions.

In general, it appears that the code's basic principles are sound, but that everything has not worked out perfectly in practice. The two-year term of the governor has militated against successful operation. It is clear that the great opportunities afforded by the code have not been utilized to the full. This has not been the fault of the code but rather the fault of those who supervise state activity. Numerous defects have been uncovered in four years, some of which have been enumerated in this paper. But when those who operate the wheels of government feel that there has been an improvement, even a financial saving which can be attributed to the reorganization, we must come to the conclusion that in its general effect the code has been valuable. The closer supervision over the conduct of public business that has come with the reorganization, accounts for the stoppage of a great amount of leakage that existed prior to 1921. This is no small achievement, and although many ways can be suggested to improve certain details of the organization, some of which have been suggested above, this survey does not indicate that the reorganization has been a failure, but rather does indicate that it has been a qualified success.

PUBLIC LEGAL AID WORK

BY AUSTIN F. MACDONALD
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There are sixty-six legal aid bureaus in as many American cities. Those operating under municipal government control are the most successful. :: :: :: :: :: :: :: :: ::

Justice is usually portrayed as a blindfolded lady holding aloft a pair of scales. She has been blindfolded in all good faith. But to those who have come into close daily contact with the administration of justice in the United States there is something pitiful in her plight. She cannot see and she cannot know when her scales get out of order, yet in the average American city they are badly warped indeed. Thousands of persons are defrauded of their property, evicted from their homes, or made the victims of unscrupulous scoundrels because they do not know their legal rights or have not the money to enforce them. A recently arrived immigrant, his mind filled with the glory of this land of liberty and equality, secures work at twelve dollars a week. After a fortnight he is laid off without receiving a cent. Imagine his feelings upon learning that the only way in which he can secure the twenty-four dollars rightfully belonging to him is to make an outlay of from fifteen to twenty-five dollars, which will secure for him judgment and execution. He might as well be asked to pay a thousand dollars.

A young man employed as a mechanic in a factory is seriously and permanently injured while at work. The employer manifests a great deal of friendly interest in the case, and gives the injured workman some light employment at his former salary. But after a short time he is dropped from the payroll without notice, and his injury prevents him from securing employment elsewhere. When he attempts to obtain satisfaction from his former employer under the workmen's compensation laws he learns to his astonishment that he cannot claim disability, since for a time he received as large a wage after his accident as he did before. How was he to know that the boss's friendly offer of continued employment was a ruse carefully planned to prevent him from receiving proper compensation?

SIXTY-SIX LEGAL AID BUREAUS

What we need most of all to-day in our administration of justice is some agency that will bridge the gap between the poor and their government, that will brush aside technicalities and make possible a square deal for all. This work is being done in part by small claims courts now being established in different sections of the country, in part by other special courts and administrative tribunals, but most of all by sixty-six legal aid bureaus found in most of the large cities of the United States and Canada. A legal aid bureau is an organization to which the poor may come and receive legal advice and assistance without money and without price. It is the poor man's lawyer, sheltering him from the inequality and injustice of the law. It may be a public bureau, organized as a branch of the city government; usually, however, it is in private hands. It limits itself to civil actions, and will not take criminal cases unless under exceptional circumstances. There is no sound reason in theory why criminal cases should not be included within the scope of the legal aid bureau's activity. The man accused of theft needs protection equally with the man defrauded of his earnings. But there are practical considerations which have brought about the present arrangement. Most of the legal aid bureaus are swamped with work and handicapped by a lack of funds. The inclusion of criminal cases would result in a volume of applications which it would be impossible for them to handle. Then, too, criminal law is a highly specialized field requiring investigators and attorneys trained for that particular type of work. In a few cities the problem of securing adequate protection for the poor in criminal cases has been met by the establishment of the office of public defender, whose work in the criminal field is analogous to that of the legal aid bureau in civil matters.

There are two other general types of cases which most legal aid bureaus refuse to accept. These are divorce and personal injury. Divorce cases are refused by the large majority of legal aid bureaus, on the ground that it is not a proper function of a public or quasi-public organization to aid in breaking up a home. The reason for refusing personal injury cases is quite different. Legal aid bureaus feel that in fairness to the legal profession they ought not to compete with members of the bar. But any injured person, though entirely without funds, can secure the services of counsel by means of the contingent fee system; and therefore when legal aid bureaus handle this type of case they enter directly into competition with private attorneys. Some few bureaus, dissenting from this view, contend that the poor man who has been disabled ought not to be compelled to squander his compensation on attorney's fees even before he receives it; but they are in the minority.

MOVEMENT SPREADS SLOWLY

The legal aid movement had its inception in the city of New York in 1876, when a group of Americans of German birth organized a society under the formidable title of "Der Deutsche Rechtsschutz Verein" for the purpose of rendering "legal aid and assistance, gratuitously, to those of German birth, who may appear worthy thereof, but who from poverty are unable to procure it." This organization, confining its efforts to the people of one nationality, was radically different from the modern legal aid society which serves all worthy applicants regardless of race, color or creed. Yet it marked the beginning of a movement that was to revolutionize our concept of the functions of government. In 1886 the "Protective Society for Women and Children" was formed in Chicago. Still there was no vision of universal service. That vision did not come until two years later, when the Ethical Culture Society of Chicago organized the "Bureau of Justice" for the purpose of supplying legal assistance to all persons who needed it and were unable to pay. In 1890 "Der Deutsche Rechtsschutz Verein" became "The German Legal Aid Society," dedicated to the service of the poor of every nationality.

The movement spread slowly, however. At the beginning of the present century there were only three legal aid organizations in the United States, and they were greatly handicapped by a lack of funds. The general public knew nothing about their work; the bar was suspicious and for a time inclined to be hostile. In several instances fraudulent societies sprang up, composed of shyster lawyers who made use of the words "legal aid" as a device for advertising and extending their business; and their activities tended to discredit the work of the genuine organizations. But a court order enjoining the spurious associations from using the term "legal aid" ended this danger in New York city, where it had proved most menacing. After about 1900 the establishment of legal aid societies went on apace. Fourteen had come into being by 1909, and during the next four years that number doubled. The public began to comprehend and appreciate the great work that was being done. The attitude of the legal profession was transformed from suspicion into sympathetic understanding. In 1909 the Detroit Legal Aid Society was established and supported by the Bar Association of that city.

FIRST PUBLIC LEGAL AID

Prior to 1910 four different types of legal aid organizations had made their appearance, all privately financed and controlled. The private corporations were still the most numerous, but a few legal aid departments had been established as branches of organized charities. The Detroit society was the only one controlled by a bar association. An interesting experiment made in Denver in 1904 when the local law school set up a legal aid clinic presided over by one of the instructors with the senior students as his assistants proved too successful, and had to be abandoned after a few years for lack of equipment and funds. But in 1910 Kansas City, Mo., took a step which was destined to have a profound and far-reaching influence upon the whole movement. Under the inspiration of Frank P. Walsh a legal aid bureau was established as a part of the city's board of public welfare. After a month of experimenting with part-time work an attorney was selected to give his full time to the task, and supplied with assistants. This action revolutionized all previous concepts of legal aid. Formerly it had been looked upon as charity—something to be doled out to the poor like bread or meat. But in Kansas City for the first time it came to be regarded as justice rather than as almsgiving. The poor man with a just cause was given the same opportunity as the rich to enforce the rights given him by law. The state, known heretofore only as the prosecutor of wrongdoers, became also the protector of those who did well. As the Kansas

City bureau aptly declared in one of its reports: "Justice in this city has been placed on the free list with religion, education, and health."

The plan was a success from the start. At the end of the first year the Kansas City bureau ranked third among the legal aid organizations of the country, then nineteen in number. Since that time municipal legal aid bureaus have become increasingly popular, though their growth has not kept pace with that of the private societies. Of the sixty-six legal aid organizations in the United States and Canada to-day, only nine are under municipal control, while in addition a branch of the public defender's office in Los Angeles is devoted to civil cases. But these nine bureaus in 1923 handled 20 per cent of all the recorded legal aid cases, despite the fact that they were found for the most part in the smaller cities, with populations totalling but 15 per cent of the entire urban population where legal aid work was carried on. In fact, this work is done almost entirely to-day by three types of organizations—private corporations, of which there are 22, dealing with 43 per cent of all the cases; departments of regular social agencies, 24 in number, handling about 35 per cent of the work; and the municipal bureaus already mentioned. A number of law schools have imitated the early Denver pattern and set up free legal dispensaries with the students as "internes." Seven legal aid societies are financed and controlled by local bar associations, four of them having been established during 1924. But these two types combined play an almost negligible part in legal aid work.

There seems little reason to doubt that the legal aid organization of the future, the ultimate type, will be the publicly controlled municipal bureau. The transition from private to public control will without doubt be a slow process; it will encounter more than one setback. In many communities it would be little short of disastrous to make the change at the present time. But eventually the legal aid bureau must take its place with the police department and the bureau of highways as a recognized part of the municipal organization. For the protection of the individual is properly a function of government, and that protection must be extended to the poor and ignorant as well as to their more fortunate brothers. It is of little avail to establish courts and to set up legal remedies for wrongs done only to make their use contingent upon the payment of an attorney's fee. For the poor man such courts do not exist, and such remedies are worse than useless. Free legal assistance to those unfortunates who so often need it most is not charity; it is justice. We can no more afford to leave the legal aid work of the community in private hands than we can rely upon private initiative for the establishment and maintenance of our courts.

LEGAL AID AS AMERICANIZATION

There is still another aspect of the problem which must not be overlooked. The legal aid bureau as a branch of the city's government, with its offices in the city hall, gives to the poor, and especially to the newly arrived immigrant, a better understanding of New World purposes and ideals. Instead of an instrument of oppression, the law is found to be a refuge for the oppressed. The government which refuses to let the alien settle his disputes in his own way, with knife or revolver, stands ready to guarantee him justice without the use of force. This thought has been admirably epitomized in the phrase: "Remedies as well as fines from city hall." Its importance cannot be overstressed. For the man who knows he has been defrauded and finds himself unable to invoke the law in his behalf inevitably loses his respect for the law. He is an incipient anarchist.

A very strong reason for placing legal aid work under public control is the greater service that can be rendered to the community. Due in part to the larger sums made available by city councils, and in part to the greater publicity resulting from their official connection, the municipal bureaus handle nearly eighteen times as many cases per 1,000 of the population as those organizations in private hands. This difference is doubtless due, at least in part, to the inclusion among the private associations of many which are scarcely functioning at all, or which have been organized so recently as to make comparison unfair. But even the oldest and most successful private organizations rank far below the public bureaus. The year after legal aid work in Philadelphia was taken over by the city the number of cases doubled. In Hartford the number soon tripled. We have already noted the experience of Kansas City, which stood third among the cities of the country in legal aid work one year after the bureau was established.

MUNICIPAL BUREAU HAS PRESTIGE

Kinship with the government gives the municipal bureau a certain prestige which sometimes proves invaluable. An order to a boarding housekeeper, a landlord, or an employer to appear and answer charges that have been made carries with it an appearance of authority. It is almost like a summons from court. The order from a private association will many times be ignored when the order from city hall will not. One has no more binding force than the other, but the reaction they produce in the minds of most men and women is quite different. Then, too, the city bureau can more readily secure the co-operation of other departments of the municipal government. The city solicitor, the police department, the municipal courts—all these can further the work of legal aid from time to time, and their interest in another branch of the government is naturally much greater than in a private organization.

There are practical reasons, however, why the municipal bureau has not become the prevailing type of legal aid organization. Most important of all is the danger that politics will creep in and dominate or destroy the work. It is obvious that those connected with legal aid ought to be chosen on a merit basis without regard to political considerations. We do not have a Democratic method and a Republican method of dealing with the legal problems of the poor; we have only a right and a wrong way. But those in charge of the destinies of American cities have not always heeded this fact. Dallas, Texas, and Portland, Oregon, are to-day without municipal legal aid bureaus, and but inadequately served by private associations, as a result of tampering by local politicians with the affairs of the city organizations. According to impartial observers these two bureaus were doing their work thoroughly and well, and were abolished in the one instance because of the failure of the mayor to appoint a personal friend as chief attorney, and in the other because the public defender did not support the mayor in his campaign. In many other American cities public legal aid bureaus are functioning satisfactorily without regard to the politicians and their whims. But the danger is always present to a greater or less degree, and must be considered in any discussion of the relative merits of public and private legal aid organizations. The question seems to be one of expediency rather than of principle. A city which is not able to keep its regular administrative work—street paving, police protection, and the like—clear of politics certainly ought not to embark upon new ventures. But a municipality which has been reasonably successful in keeping permanent experts in charge of departments regardless of changing administrations ought not to hesitate to add legal aid work to its functions. For legal aid is properly a public undertaking, and must remain in private hands only until American city governments demonstrate their fitness to serve fully the needs of the people.

OBJECTIONS TO MUNICIPAL BUREAUS

Two objections frequently raised to public legal aid bureaus are not of great importance. One is that a private agency is more free to determine its own policies, and can pursue its course unhampered by men in authority who know little of its work and care less. This argument is valid only to the extent that higher officials withhold their co-operation and support. But whether this advantage of the private association is real or fancied, it is more than counterbalanced by the dignity and authority a public bureau gains from its official connections. The other objection carries with it greater weight. We have already seen that most legal aid bureaus refuse personal injury cases. The private organizations keep on file a regular list of approved attorneys to whom such cases are sent. The men chosen for this purpose are members of the bar in good standing who can be depended upon not to take advantage of the helplessness and ignorance of their clients. A similar arrangement cannot be made, however, by the municipal bureaus. The accusations of partiality in selecting a few favored attorneys and rewarding them with lucrative business would be so numerous and so insistent as to destroy all possibility of real service in the community. The public agency, therefore, finds itself in an unfortunate predicament. A worker injured in the course of his employment comes seeking advice and assistance. The bureau's attorney tells him: "We cannot take your case, because it is against our policy. But there are plenty of good lawyers who will be glad to do so, charging for their services only a moderate fee if they win, and nothing if they lose." "There are plenty of shysters, too," objects the injured man, "who will keep all the money they collect for me. I have no friends who are lawyers, and I have no way of telling the honest ones from the crooks. Will you recommend someone?" And, if the organization is under public control, the answer must be: "No, we cannot suggest anyone. You must take the chance of finding some attorney who will treat you fairly." This is a real disadvantage of the public bureau. The result is little or no protection for those who have been injured and are entitled to compensation. It may be that in time the public bureaus will regularly accept personal injury cases in order to insure justice to all.

THE PHILADELPHIA BUREAU

The best laboratory to be found anywhere for the study of public legal aid work is the city of Philadelphia, which boasts the largest public legal aid bureau in the world. This bureau handles more than 13,000 cases yearly, at a cost of $2.12 per case. In addition to its chief, who is a lawyer, there are eleven assistant attorneys, eight of them on part time. The applicant making his first appearance at the office in city hall is referred to a young woman who learns the general nature of the complaint, and asks such questions as: "Have you a bank account? How much? Do you own real estate? What is its assessed value? Is it mortgaged? For how much? Do you pay rent? How much? Are you married? Have you any dependents? Are you employed? What is your salary?" From the answers to these questions the attorney to whom the case is referred determines whether the applicant is properly entitled to the services of the bureau. A man earning thirty dollars a week who has a wife and several children dependent upon him may reasonably expect to receive legal assistance, whereas a man without dependents who earns a similar sum will in all probability be told to consult a private attorney. The person seeking the bureau's help is asked to sign this statement: "I hereby solemnly affirm that the above facts are true and that I am not financially able to afford to pay an attorney for legal service." If at any time during the proceedings it is found that the facts have been misrepresented, either as to the applicant's financial status or as to the nature of the case, the entire matter is at once dropped.

After the preliminary steps have been taken the person seeking aid is interviewed by one of the bureau's attorneys, and the facts brought out. Some cases are summarily dismissed because they fall within one of the proscribed groups—criminal, divorce, or personal injury. Others are refused because there is no legal remedy. A woman who has bought some furniture on the instalment plan and has made several payments decides she does not wish the articles she purchased. When the merchant refuses to return her money she comes to the legal aid bureau. It sometimes takes considerable time and energy to convince such a person that the furniture dealer is within his rights, and cannot be compelled to cancel the contract. Frequently the applicant is unable to speak English. The Philadelphia bureau is prepared for such contingencies. It has two interpreters, and there are other members of the staff who can speak foreign tongues. Twenty languages and dialects can be handled, not even forgetting the sign language of the deaf and dumb.

When all the facts of the case have been made clear, if there seems to be a real basis for a civil action the person complained of is notified to appear at city hall and give his version of the story. It is at this point that the bureau's attorney must frequently assume the rôle of a judge. The two accounts may be, and frequently are, conflicting. He must then make a snap judgment as to the honesty of each man. It is important that his judgment be accurate, because the legal aid bureau by taking a case practically guarantees its merit. The private attorney who accepts a client does not thereby commit himself to a belief in the justice of his client's cause. But the municipal bureau does, and therefore its acceptance of a case is in itself a factor of considerable weight in the minds of the average judge and jury.

CONCILIATION TRIED FIRST

Not all disputes accepted by the bureau find their way into court, however. In fact, not one in fifty gets there. Conciliation and adjustment are aimed at, rather than litigation. And if both parties are acting in good faith, as they usually are, a friendly settlement is not difficult to arrange. There are many times when the applicant is worthy and in dire need of assistance, but has no legal remedy. Such matters are not summarily dropped. In one instance a woman came to the bureau with the complaint that the landlord had raised the rent, and had ordered her family to vacate. The rent was several months in arrears, and the landlord was entirely within his legal rights. But one of the six trained investigators employed by the Philadelphia organization looked into the case and brought to light a number of relevant facts. The husband had lost his position with a department store ten days previously, and had been unable to secure other work. For forty-eight hours there had been no food in the home, not even for the four children, one of them a nine-weeks-old baby. As if to cap the climax, a petition was being circulated in the neighborhood for the purpose of effecting the removal of the family from that vicinity.

From a strictly legalistic standpoint the duty of the legal aid bureau ended when it informed the woman that she had no legal remedy. But it did not content itself so easily. First it communicated with the bureau of constructive social service, another branch of the Philadelphia department of public welfare, and arranged to have an ample supply of food sent to the little home where it was needed so urgently. Then the investigator in charge of the case got in touch with the department store where the husband had been employed, and after explaining the situation, secured an agreement to have him reinstated immediately. The landlord was sought out, and persuaded to wait a little longer for his rent. Then the investigator went into the neighborhood and, by outlining the conditions, caused the petition to be withdrawn and destroyed. Not many of the services performed for this family could well be classed as "legal" aid. And yet they were vitally necessary—much more necessary than most lawsuits.

Though it is the practice of most legal aid organizations to make no charge for their services, about ten of the private agencies do require the payment of a small sum—a retainer fee, it is called—from each applicant for assistance, unless satisfied that he cannot advance even the trifling amount asked. This retainer fee varies from ten to fifty cents. In addition, a few of the private societies charge a small commission on sums collected for clients. The public bureaus make no charge of any kind. Even those agencies which charge fees do so in only about one-third of their cases. They argue, however, that the principle is sound, and should be applied wherever practicable. "When we sue, we pay fees," they declare; "why should we pauperize a man because he is poor?" It is claimed, too, that the bringing of foolish charges will be discouraged.

If this contention is valid it should carry great weight with legal aid workers, who spend a considerable portion of their time listening to absurd complaints. One woman wanted to sue the city's dog pound because it had "arrested" her mongrel for "vagrancy," and demanded two dollars for his release. The statement that the law required payment of the two dollars before she could secure her dog, and that a lawsuit would be useless, failed to satisfy her, and she insisted upon taking the valuable time of the lawyer to whom she had been assigned by arguing the matter with him. Another applicant explained that his son was keeping company with a "brazen hussy," and wanted the bureau to put a stop to the courtship. "We learn to distinguish between the sane and the insane," declared one prominent attorney associated with legal aid work; "we get both kinds here." Those who favor the charging of fees also maintain that the interest of the client will be increased, and that the revenue derived from this source, while not considerable, is not to be despised. But these arguments have not had sufficient weight to induce many legal aid organizations to adopt fee systems. "Justice should be free for all," contend the majority, "and the purpose of a legal aid bureau is to make it so. The man who is properly a client of such an agency has need for every cent he owns, and ought not to be compelled to pay for his rights. If his interest in the case is so slight that it will be increased by the payment of ten or twenty cents, then the bureau had better leave the entire matter alone."

THE MOVEMENT IS GROWING

It was not until 1911 that the legal aid societies of the United States made any attempt to get together and discuss their common problems. But in that year the representatives of thirteen agencies met in Pittsburgh, and considered the desirability of establishing a central office which would act as a clearing house for the exchange of information and for the transfer of cases from one city to another. Such an organization was created in New York the following year, and christened the National Alliance of Legal Aid Societies. But it was a weak body, deficient in funds and in leadership, and accomplished little. It was therefore permitted to die a natural death, and its place was taken by the National Association of Legal Aid Organizations, established in Cleveland in 1923.

Each year legal aid work goes on apace. New agencies come into being; old organizations increase the scope of their activities. And there is still much room for development. There are probably twenty American cities with populations in excess of 100,000 where not even the skeleton of a legal aid society exists, and there are at least fourteen other municipalities equally large each handling less than 100 cases a year. Most of these organizations are still in private hands. Many of them are badly crippled by lack of funds. Eventually, though in numerous instances the transition will not and ought not to be brought about for years to come, they must become public bureaus. For only when the community itself guarantees justice to its every member, regardless of wealth, can justice fairly be said to be certain and free.

RECENT BOOKS REVIEWED

Specialized Courts Dealing with Sex Delinquency, A Study of the Procedure in Chicago, Boston, Philadelphia and New York. By George E. Worthington and Ruth Topping. Frederick H. Hitchcock, New York, 1925.

Jury trial has been on trial again, and again found wanting. From this study of four large courts dealing with sex offenses it becomes increasingly evident that new tools must be forged for the administration of criminal law. Perhaps no better evidence could be found of the wide discrepancy in terms both of the protection of the individual and of social welfare between legal safeguards, so called, and actual conditions of life, than is here presented. Trial by jury, bail, representation by counsel and appeal all seem to turn into abuses when brought to bear supposedly in the interest of protecting the rights and welfare of the woman accused of prostitution, especially if she is young and inexperienced in the ordinary ways of criminal "justice."

It was to ascertain whether trial by jury was a safeguard against sex discrimination in the prosecution of sex offenders in Chicago that the American Social Hygiene Association and the Bureau of Social Hygiene co-operated in making a study of the operation of four large courts specializing in the prosecution of this class of offenders. It is worthy of note that so obvious does the answer become as one reads through the chapters of this book, that in the last which synthesizes the best points found in these courts, one scarcely notices the omission of any reference to this and other historic bulwarks of the Anglo-Saxon judicial system.

Each court was dispassionately and objectively observed in the processes of its work and in the results achieved in a representative block of cases. The laws under which the courts operate, the volume of business they transact, the tools and resources with which they work, and the co-ordination of their parts have been the subjects of this inquiry. Happily these authors have succeeded in putting before their readers a simple, straightforward and clear account of what they saw. To one familiar with the problems inherent in the work of these courts, little interpretation is required. The careful reader understands the significance of "it is stated" and "on information furnished by the department." Both he and the general reader gain a better understanding, however, when certain kinds of interpretive material is added as has been done here. Illustrative cases, statistics compiled from records to check against the generalized statements of officials, as well as the pointing out of deficiencies in procedure all help to give the picture.

Each court examined had its own collection of strong and weak points, but they were not the same for any two courts. Chicago seems to be long on laws defining all aspects of prostitution and sex delinquency but short on legal and social remedies. Philadelphia is short on law but long in its aggregation of methods of investigating cases. It seems unable, however, to relate its diagnostic findings to its methods of treatment. Boston has a superior probation staff, but is hamstrung on account of a curious legal situation which permits a trial *de novo* in any case in which it is requested. New York with its many good points is short on the means of carrying out an effective probation program.

Back of the problems of administration which this study probes so well lies the most difficult and challenging of all—the very definition of sex delinquency. It was not the business of these authors to examine this, and very wisely they refrained from emphasizing it. But, even so, they could not escape it entirely. They were compelled to make the distinction between exploiters of prostitutes and the prostitute herself and her customer. But the laws in many of our states add other classes which make all sex relations outside of wedlock illicit. It was interesting to note that in the Boston court, of fifty cases put on probation, thirty-eight were convicted for offense involving private immorality: adultery, fornication, lewd and lascivious cohabitation; and the remaining twelve for commercialized forms of prostitution: keeping houses of ill-fame, violating the True Name Law, "common night walker." New York, on the other hand, has no law making fornication an offense. Apparently one of the big questions in this country is whether private immorality is a public offense and, if so, how we shall enforce the law. That sense of justice, which is balked in so many directions, might find an outlet here to do some good, solid, unemotional thinking.

NEVA R. DEARDORFF, M.D.

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BOSTON YEAR BOOK, 1923–1924. Boston: City Printing Department, 1924.

YEAR BOOK OF THE CITY OF CHARLESTON, SOUTH CAROLINA, 1923. Charleston: J. J. Furlong and Son, 1924.

Though these two volumes are similar in title, they are quite different in character. The Charleston Year Book is, as its name implies, simply an annual report of the city government. The Boston Year Book, on the other hand, might more properly be termed a manual of municipal activities. In fact it is somewhat more, for it includes a mass of information concerning social and economic conditions within the city. In method of presentation the two volumes are also quite dissimilar. The former might well be cited as a representative of the Dark Ages of municipal reporting, while the latter, if not an example of the best type of reporting, is at least a readable and well illustrated volume worthy of the citizen's attention.

The Boston Year Book is chiefly devoted to an account of the development and work of the city administration considered department by department. The antiquarian will find here a description of the beginnings of the police and school systems of the municipality, while others may obtain an interesting panorama view of the multifarious activities of a large modern city. In addition to the sections dealing with municipal administration proper, there are chapters covering such subjects as manufacture, labor unions, private welfare activities and the cost of living. Noteworthy among these special chapters is one summarizing the organization and work of the various metropolitan districts which serve the greater city. Finally, the report contains an extensive compilation of statistics of population, municipal finance and industrial and commercial conditions of metropolitan Boston.

Although admirable in many respects when viewed as a popular manual, the Boston Year Book is far from uniform in quality. If some sections such as those dealing with the budget department and the park department have been prepared to supply the citizen with a fair understanding of his local government, others have been written chiefly for the purpose of extolling the glories of the existing administration, and a few departments have been slighted almost entirely. The arrangement also leaves much to be desired. Curiously enough departments are treated in alphabetical order without the least effort to bring together those which possess related functions. In contrast with the average municipal report, however, the volume contains much that is worth reading and is largely free from the meaningless statistics and picayune details that destroy the value of so many public documents.

Of the Charleston Year Book little need be said. It is an illustration of an all too familiar type of municipal reporting, one which demands little effort and no imagination on the part of the authors and benefits few save the publisher. From a careful perusal of this document one may indeed learn the exact number of cows removed by the dead animal contractor in the month of May and the number of letters written by the bureau of foreign trade and port development during the year. But one will look in vain for an intelligible analysis of the city's revenues and expenditures, or for an informing survey of the activities and problems of the principal administrative departments. Yet in one respect, at least, this volume stands out among its kind. The mayor's letter of introduction, a missive rich in the most impassioned of Pre-Gothic oratory, is a gem for which one might long search in vain.

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SURVEY OF BOMBAY.

To the growing library of reports on municipa surveys may now be added the final report of the retrenchment advisor on "Municipal Retrenchment and Referendum for the City of Bombay, India."

This report results from the appointment of a retrenchment committee by the Bombay Municipal Corporation in January, 1924. Sir M. Visvesvaraya was appointed to the position of retrenchment advisor, working with a limited staff drawn from the civil list. The final report, which is dated January 31, 1925, is divided practically into three sections.

The first section deals with the future development of Bombay and discusses the need for continuous investigation of the city's province, housing, transportation, civic education, public works and utilities, city planning, etc.

The second section is concerned primarily with work done and proposals submitted and treats essentially of certain administrative reforms proposed and of the proposed reorganization of the Engineering Department and control of bond expenditures.

The third section, which constitutes more than one-half of the report is in the form of appendices, and is substantially an efficiency study of some sixteen divisions of the city government.

The retrenchment advisor states that the preliminary report showed that a saving of roughly 10 per cent might be secured and that a saving of 8 per cent has been effected, while proposals for further savings are under way.

It is interesting to note that one of the earliest recommendations of the advisor is to the effect that the Retrenchment Committee be continued as a permanent official research bureau and that steps be taken to organize a privately supported research bureau to supplement its work and serve as a check on public activities.

The committee may be addressed as the Committee on Retrenchment, Municipal Corporation of Bombay.

LENT D. UPSON.

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SIMPLIFIED SCHOOL ACCOUNTING. By Arthur J. Peel, consulting accountant, Boston. Bruce Publishing Company, Milwaukee; 1925. Pp. 118.

Severe critics of the essentials of a system of government accounting would challenge important features of the system of public school accounting described in this book, which, briefly stated, are as follows:

1. The cash balance is allocated to the "general fund," "special funds" and "trust funds," but otherwise the income accrued, expenditure incurred, resources, obligations and surplus available for appropriation are not accounted for with respect to funding restrictions.

2. Complete accounting for proprietorship by the school administration is provided for; that is, accounting for the assets and liabilities and their liquidation. But no exception to these accounting requirements is recognized when proprietorship is not the responsibility of the school administration; that is, when the school administration is not responsible for the collection of taxes, the payment of bills, the provision for the retirement of debt, and so forth.

3. Accounting for appropriation balances is provided for in more or less memorandum form rather than controlled through the general ledger.

4. An annual "balance sheet" is provided for, which includes capital as well as current assets and liabilities and arrives at a "surplus." Hence, this "surplus" denotes an excess of all assets over all liabilities but not a sum which is expendable or available for appropriation.

5. Proceeds from the sales of bonds and issuance of temporary loans are classified as "revenues"; that is, it would be implied in the analysis of income that these receipts do not create corresponding obligations.

6. The cost analysis of expenditures provides that "overhead" shall be distributed to each school and each grade or subject taught, including expenditures for general administration, physical instruction, entertainments, lectures, purchasing and stores control. It is provided then that unit costs be arrived at on the "per capita" or pupil day basis.

Speaking for these critics, the writer will say that the methods of commercial accounting should be followed with discrimination in public school accounting as in all other government accounting. On the other hand, the fiscal responsibilities peculiar to a public school administration lead to the application of accounting methods that are not common to commercial accounting. In public school administration, funds are created by law which require that income from specified sources be expended only for specified purposes. Budgets are commonly prepared, when it is necessary to know the surplus available for appropriation in each fund, including the receivables in each fund that have not yet been collected, and the obligations that are still to be paid from those receivables. The accounts must provide this information and they must further show whether the income of any particular fund has been expended only for the purposes of that fund.

When the accounts of resources and obligations are not allocated in the accounting system to the respective funds, they serve only the purpose of showing whether cash is properly accounted for and whether collections are being made and bills or other obligations paid as required. These are commonly responsibilities of a school administration to a greater or less extent, but often of another governmental unit, the former's fiscal responsibility being then limited to the incurring of expenditures. Under the latter circumstances, the accounting for the liquidation of assets and liabilities would be incorporated with the other accounting procedure of the governmental unit responsible therefor and would not be an integral part of separate school accounting.

In a manufacturing enterprise, it is necessary to know actual cost of most operations in order to fix a selling price. In public school administration, it is necessary to know costs only to reduce expenditures to a minimum consistent with the services required. For this purpose overhead may be criticised in its proportion to direct expenditures but it is not necessary to distribute it minutely to various operations on a more or less arbitrary basis.

Briefly, the above indicates the line of criticism that may be directed to the system described in this book. Speaking from the standpoint of the premises assumed by the author, the writer is eager to say, however, that the system of recording has been carefully worked out, consistent with the comprehensiveness which it attempts. In this respect, it is thought to be a capable piece of work and should be helpful to public school administrators. The records are detailed but concise, and unnecessary bookkeeping labor has been well avoided.

The subject of depreciation has been introduced and then somewhat hastily dismissed. It would have been better to omit this matter entirely, as it is not pertinent to the fiscal administration of schools, in our opinion. The tone of the text is evangelistic in places but the language is clear and readable.

William Watson.

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Southern Pioneers. Edited by Howard W. Odom. University of North Carolina Press, Chapel Hill, N. C., 1925. Pp. vii, 221.

This volume, edited by Professor Odom of the University of North Carolina, contains biographic sketches of Woodrow Wilson, Walter Hines Page, Charles Brantley Aycock, Seaman A. Knapp, Augustus Baldwin Longstreet, Joel Chandler Harris, Booker T. Washington, Madeline McDowell Breckinridge, and Edward Kidder Graham. Each one of these sketches has been written by a person acquainted with the life and work of the subject. The sketches are interesting and some of them have literary merit.

Why this book should have been called *Southern Pioneers* is not apparent from the text. The nine characters whose lives are briefly sketched are not pioneers but contemporaries. All of them, with one exception, lived during the latter half of the last century and some of them almost up to the present time. Certain of them may be looked upon as pioneers in the work they did for the South, but not all can be so regarded. Some did not even live in the South. Knapp was born in New York and lived in Texas for a time before taking up work for the United States department of agriculture. Although Wilson and Page were born in the South, each one lived there only during the early part of his career. By the same method the South might lay claim to Mark Twain and many others who were born below the Mason and Dixon's line but later moved north, where they found better opportunities for self-development.

Professor Odom has written an introductory chapter which has many things in it that should be of vital interest to Southerners. He analyzes briefly the social and economic conditions of the South. He discusses the lack of great universities and the narrowmindedness of those in charge of many of the present southern schools and colleges. He points to the backwardness in the development of the natural resources of the southern states. The main reason for these conditions he asserts lies in the southern people themselves. "The South," he says, "is too proud of its non-progressive fundamentalism and enjoys an easy-going rationalism which places entirely too much responsibility for its shortcomings upon the Lord."

A. E. Buck.

ITEMS ON MUNICIPAL ENGINEERING

EDITED BY W. A. BASSETT

Laxity in the Operation of Sewage Disposal Plants.—Timely comment on the serious laxity which exists in the operation of many sewage disposal plants, particularly in the smaller communities, was made recently by Mr. T. Chalkley Hatton, in a paper read before the Wisconsin Engineering Society. Mr. Hatton states that a study of conditions in Milwaukee County disclosed the fact that not one of the eight municipal plants nor any of the various institutional and industrial sewage disposal works within the county produced an effluent materially purer or more stable than the influent. Also no one of the plants in question is operated as the engineer who designed it intended that it should be. This study further disclosed a practically universal lack of maintenance of the plants, insufficient funds being provided for this purpose with little if any direction over their expenditure. Moreover, there was apparent an almost universal lack of appreciation on the part of those responsible for directing the operation of the plants of the fact that skilled and competent labor is essential to efficient operation and the accomplishment of the purpose for which the plants were built. All in all, Mr. Hatton's paper constitutes an arraignment of the manner in which sewage disposal plants are operated in Milwaukee County. One serious feature of the situation is that it is highly probable that a more extensive study would disclose comparable conditions in practically every state.

There is no reason why conditions such as these should exist or why their continuance should be further tolerated. There is sufficient knowledge available to-day on the problem of sewage disposal to enable designing methods of treatment to meet practically every condition encountered in a reasonably economical fashion. It is necessary first, however, to impress on the public and particularly the elected official that the treatment of sewage has a very definite purpose, and the determination of the most suitable method to be used is a technical problem requiring experienced judgment and technical skill. Also that the responsibility of the official concerned with providing suitable disposal facilities does not end with the completion of the necessary construction work but includes making suitable provision for competent operation and maintenance.

Many states have passed laws making it mandatory for municipalities within the state to provide treatment works for sewage. Ordinarily, jurisdiction over the enforcement of this requirement is vested in the state health departments. The powers of these departments could well be extended to include responsibility for securing competent operation also. In these days when so much serious consideration is being given by state governments to the problem of preventing the pollution of streams with industrial wastes so as to avoid producing conditions inimical to the efficient operation of sewage disposal plants, it is certainly up to the local community to do its part towards ensuring the latter.

Mr. Hatton recommends that the smaller cities, those with population under 5,000 which discharge sewage into Lake Michigan or its tributaries, should in general be required merely to provide for the removal of a part of the solids from the sewage, relying on dilution and subsequent digestion to effect a satisfactory disposal of the remainder. There are doubtless many communities for which this would be sound advice. The emphasis placed by Mr. Hatton on the need for designing sewage treatment works so as to simplify as much as possible the operation of these plants deserves the serious attention of those engineers identified with this class of work.

◆

More Economical and Simplified Practice in Building Design and Construction.—Greater economy in building construction should result from the simplified practice recommended by the Building Code Committee of the United States Department of Commerce in its two latest reports, "Minimum Live Loads Allowable for Use in Design of Buildings" and "Recommended Minimum Requirements for Masonry Wall Construction." The minimum loading requirements recommended by the committee represent, in general, a reduction of from 20 to 30 per cent, from those governing current building design practice. This applies particularly to buildings designed for commercial purposes.

Facts disclosed as the result of the committee's investigations establish clearly that existing loading requirements in many codes are too high for certain light commercial and industrial occupancies. This is probably due to choosing minimum loading safe for all uses of this character in the effort to secure safety in structures subject to unexpected and possibly unregulated change of use. Applied indiscriminately, these minimum requirements have occasioned unnecessary expense in many cases for the construction of floors heavier than needed for the character of occupancy proposed. In presenting its recommendations for minimum live loads the committee emphasizes the fact that the loading permitted is in all cases the minimum for the particular uses designated and must be increased where any modification of this use within the structure is contemplated. In applying these requirements to the regulation of building construction, there are three essential steps. The first, obviously, is the stipulation in the code of a low minimum live load required for each class of occupancy. The second involves the designating by the official responsible for regulating building construction of such additional loading requirements as change of occupancy may demand. The third is a matter of providing for the periodic inspection of buildings designed for certain classes of occupancy in order to guard against changes that might result in an overloading of the structure.

The requirements for masonry wall construction recommended by the committee are designed to simplify practice without endangering safety. Although substantially lower than those stipulated in some building codes, these requirements are not lower than those in use by cities which have satisfactory regulation of private building construction. Obviously, the recommendations of the committee are predicated on the assumption that good materials and workmanship will be used and care taken in the construction work consistent with the requirements of sound practice. In both of these matters the committee recognizes the necessity of an effective system of building regulation and makes specific recommendations for effecting satisfactory control over this work. With regard to this phase of the problem the committee offers the following illuminating comment.[1]

> The municipal building inspector is not and should not be held wholly responsible for safety of buildings. His duty, like that of the policeman, is to prevent dangerous conditions, so far as his facilities will permit, but reasonable precautions having been taken, he is no more responsible for failures than the policeman for crimes. The builder or his accredited representative, having undertaken erection of the structure, is responsible for safe prosecution of the work. Building erection, especially of the large structures now prevalent, is an operation of great complexity involving numerous possibilities of mishap, both to those engaged in the work and to future occupants. The risks involved and the knowledge demanded of those in charge are far greater than in the case of many trades or occupations now rigidly controlled. Nevertheless, such work is frequently undertaken by those having practically no experience and often assuming an antagonistic attitude toward the building inspector's efforts to insure safety.
>
> In view of these facts some discretion should be accorded building officials as to who may be granted permits. The committee does not necessarily advocate licensing of builders, but does hold that local practice should strongly favor the issuance of permits only to responsible individuals experienced in building work and competent to assume responsibility for their employees and subcontractors; and that building officials should be empowered to refuse permits to those known to be unfit for the work proposed or who have failed formerly to co-operate sufficiently with municipal inspection to insure reasonable safety. This means that permits would be issued only to the builder, architect, or person who is responsible for erection of the building, and not necessarily to the owner.

The recommendations of the Building Code Committee in both of its reports should, if carried out, result in a material reduction in the cost of building construction without lessening the protection against building failures. However, a prerequisite to realization of these benefits on the part of any community is the establishment of an effective system of regulating building construction. This means competent personnel for the examination of plans and the inspection of construction. The recent adoption of zoning ordinances by many communities affords a means of regulating occupancy of buildings. A building code and a zoning ordinance are essential parts of any system of building regulation. The scientific methods employed by the building code committee, together with the high professional standing of the members of that committee, make its recommendations deserving of the most careful consideration by all parties concerned with building construction and its regulation.

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[1] Report of Building Code Committee, *Recommended Minimum Requirements for Masonry Wall Construction*, June 26, 1924.

Comprehensive Sewer Plan Proposed for Los Angeles County.—Joint participation on the part of sixteen cities and as many more unincorporated towns, is a feature of a proposed plan to provide sewerage facilities for that section of Los Angeles county outside of the city of Los Angeles. According to Mr. A. K. Warren, chief engineer, Metropolitan Sewer Districts, Los Angeles county, who outlines the essential features of the proposed plan, in a recent issue of the *Engineering News-Record*, the present estimated population of the area to be served is 377,000 and it is proposed to design the system for an estimated future population of 1,300,000. For the purpose of carrying out this plan the district to be served is divided into eight sewer districts. Under the County Sanitation District Act, chapter 250, Laws of 1923, the power to establish such a district is vested in the county board of supervisors, subject to referendum on petition of two per cent of the registered electors. After its establishment the administration of district affairs is conducted by a board of directors, generally comprising the president of the board of trustees of each of the cities included within the district together with the chairman of the county board of supervisors. Funds for construction purposes are provided out of bond issues authorized by a two-thirds majority of votes cast at special district elections. Up to the present three districts have voted bonds amounting to $9,120,000 for sewer improvement purposes. Sewage disposal is to be accomplished by gravity discharge after passing through fine screens through a joint outlet sewer to a submerged multiple outlet located about half a mile off shore.

Details as to the method to be used in allocating the cost of the joint outlet sewer among the communities participating in its use are not available. The substantial endorsement already given this project by the public of Los Angeles county is encouraging as indicating an awakening appreciation on the part of the public with regard to the necessity of making ample provision for sewerage needs and also the value of co-operative community action in making available sewage disposal facilities.

Moreover, it is evident that the public of Los Angeles county has profited by the experience of the public of the city of Los Angeles which early in 1922 for the third time defeated a bond issue for a new outlet sewer and treatment works, although warned as to the imminent need of these facilities by the engineering and health departments of the city government. Subsequently, what was to be expected happened. There was serious flooding with sewage of streets and premises, resulting in financial loss and damage suits against the city. Later in 1922 the necessary bond issue for the required treatment works was passed by a substantial majority, but only after an unnecessarily costly experience of that city and one that indicates that the voice of the people is not always the voice of wisdom.

NOTES ON MUNICIPAL ACTIVITIES ABROAD

EDITED BY WILLIAM E. MOSHER

Municipal Housing.—The Town Planning Committee of Jarrow, England, offers some interesting data concerning the relative costs of erecting houses of similar types by the municipality on the one hand and private companies on the other.

According to their report one hundred and forty-four houses were built by contractors at an average price of nine hundred and sixty-four pounds each, whereas thirty-four were built under municipal control at a cost of six hundred and eighty-six pounds each.

The Bradford Corporation issues a similar report when one hundred houses were erected by the corporation engineer and surveyor. In spite of the fact that the cubic space was 25 per cent larger than in houses of the same type constructed under contract and better tile and material were used, the direct labor houses cost 855 pounds and the contract houses 864 pounds. The average costs for 1923 shows a saving of 58 pounds on every house built by direct labor.

The success of the Bradford undertaking is due, according to the report, to the more liberal method of treating the workmen employed on the houses. The basic agreement with the workmen called for full time and full wages, the transportation of workers coming from outside were paid and the terms as to sick pay and holidays were more favorable than was customarily the case. The result of this policy was that the work was uninterrupted and the houses built in record time.—*Local Government News, May, 1925.*

✦

Population and Housing in the Rhine Provinces.—One of the most significant changes that have taken place in the last one hundred years in the Rhine provinces is that the percentage of the population dwelling in cities has increased from twenty-three to over sixty-six. This has been accompanied by a doubling of the population density since 1871—there being now an average of 276 people to a square kilometer.

Such a rapid development has resulted, of course, in the more or less uncontrolled growth of the cities themselves and has led to a serious housing and building problem. About twenty years ago there was launched in the Rhine Province a movement which had as its basis the slogan, "Disfigurement of the Country" (Enstelling des Landes). Conferences were called and a number of associations were organized which had as their purpose the arousing of the people to an appreciation of more attractive and more sanitary houses and buildings. One consequence of this movement is that there have been established a large number of advisory units which have had a very wholesome influence on housing conditions. Associated with these units, if not at the head of them, are architects, university professors and public officials. Magazines have been published, series of lectures have been given, and exhibits have been held throughout the province.

This same movement has resultd in the extension of credit at reasonable rates of interest and, through the backing of a number of public agencies or organizations, in supplying building material at reasonable, if not low, figures. It has further aided by the opening of streets and by the granting of preferential treatment in the purchase of land for housing and building purposes.

In spite of the setback due to the war, this movement is now getting under way again, and promising results are expected as time goes on.—*Landrat Dr. von Reumont Erkelinz und Dr. Mewes, Dusseldorf.*

✦

Science of Municipal Government.—It is reported that the University of Berlin has recently founded a small library for the Science of Municipal Government in connection with the practical course given on this subject.

The object of the course is to acquaint students with all branches of municipal administration as handled both in Germany and in foreign countries and to give them systematic instructions in the materials necessary for the work of municipal departments at the time of entering into the public service. Much interest has been shown both by beginners and advanced students.

Professor Blachly of the University of Oklahoma recently delivered a lecture before this group on the structure of municipal government in the United States. He compared the mayor-council, the commission, and the commission manager types of government.—*Les Science Administratives, No. 6, 1925.*

Land Purchase by Municipalities.—The Minister of Public Health of England recently gave out interesting information concerning the number of cities which have the power to purchase land in anticipation of future needs. There are thirty such cities. The following are among those which have made use of such authority:

Name	*Area*	*Purchase Price* Pounds
Birmingham	112	467,167
Nottingham	972	220,800
Portsmouth	564	47,000
Bolton	375	15,280

—*Local Government News, May, 1925.*

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Cost of Legislation.—Mr. N. Chamberlain, Minister of Health of England, was requested to give information as to the costs paid by local authorities in supporting bills in Parliament. The only figures which were cited had to do with eight bills considered in 1924. The costs reported totaled 18,000 pounds. This information might be of interest to those who are seeking various methods of measuring legislative activities. This is a source of expenditure that has not been generally recognized in budgets of the municipality, but one which undoubtedly is legitimate and concerning which interesting information may be gathered by students of state government.—*Local Government News, May, 1925.*

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Government and Public Affairs in the Rhine Province.—These notes have already contained reviews of special issues of the Zeitschrift fur Kommunalwirtschaft which deal with individual German cities and provinces. The most recent issue of this sort under the date of May 25, 1925, is devoted to a discussion of the Rhine province. It is published at this time because of the thousandth anniversary of the founding of the Rhine province.

According to the customary method of treatment articles have been prepared by qualified experts. They cover the fields of industry, commerce, finance, transportation, public administration, housing and general culture. The gist of those of interest to the student of government is brought together in the following paragraphs.

The development of provincial home rule, which corresponds on the whole to our state rights, is summarized from the beginning of provincial government to the present. This article sets forth the delimitation of control and function as between the central government, *i.e.* Prussia, and the local communities. This review begins with the year 1826 when the provincial legislature first met. In general, it is pointed out that public administration has developed step by step in the direction of provincial self-government according to what appears to be an inherent necessity. And at the present time in spite of a certain opposition to provincial autonomy, there seems no reason to doubt but there will be a continual increase in the field given over to what we would call "state rights."

By way of illustration it is indicated that the province has taken over more and more of the welfare work, the institutions for defectives and cripples, the care of the youth and the poor, the incorrigibles; public highways; public work in connection with rivers, swamps and the like; agricultural education; insurance against fire; invalidism and old age; credit for public enterprises and the like.

The author looks forward with the utmost confidence to the further development of autonomous administration in social, economic and cultural fields.—*Landeschauftinann Dr. Horion, Dusseldorf.*

*

Public Gas Works.—An illustration of the rapidity with which public enterprises have gotten under way is found in a report on the extension of gas works since 1837, when the first private corporation began operations. At the present time there are one hundred and forty-four cities being supplied by gas. Forty-two of these are supplied by means of piping from other cities. For this purpose over 60,000 kilometers of pipes have been laid. Taking it all in all over one-half the inhabitants in the province procure their gas from these works. The first city to try public ownership and control was Barmen in 1846. In 1875 twenty-six of the sixty-seven gas works were owned and controlled by the municipalities, while to-day one hundred and eleven of the total one hundred and forty-four are so controlled.—*Direktor Dr. Schillo, Mühlheim-Ruhr.*

NOTES AND EVENTS

Budget Facts from Minneapolis.—"Budget facts" is the title of an interesting pamphlet issued by the board of estimate and taxation of the city of Minneapolis. This pamphlet was prepared under the direction of Mr. George M. Link, secretary of the board. The purpose of the pamphlet is to give the basic information relative to the financial affairs of the city government and to outline the cost of operation and of improvement projects. The outline is according to the various funds. Comparative costs and tax rates are exhibited both by tables and charts. Perhaps the most interesting part of the pamphlet is the analysis of the city's debt.

◆

The Detroit Bureau of Governmental Research has issued as a number of its *Public Business* (July 10, 1925) an analysis of the cost of the government of the city of Detroit for 1925–1926. The operating budget of the city government is presented according to the activities. The outlays for improvements is shown according to projects. The total budget for the fiscal year beginning July 1 is more than $125,000,000. This is an expenditure of approximately $125 for every person living in the city. A budget bureau under the mayor is now functioning as the staff agency in the preparation of the budget.

◆

The Gasoline Tax.—Mr. Henry R. Trumbower, economist of the U. S. Bureau of Public Roads, writing in the *Review of Reviews* for July on the gasoline tax, points out that all but four states now have such a tax. The states that have not yet adopted the gasoline tax are Illinois, Massachusetts, New Jersey, and New York. The rate of the tax is from one to five cents on each gallon, the most common rate being two cents. The amount of gasoline tax paid during 1924 in the 35 states then having such a tax was approximately $80,000,000.

◆

Proposed Plan for Administrative Reorganization in Texas.—The University of Texas has recently issued a bulletin entitled, "The Reorganization of State Administration in Texas." This bulletin was prepared by Professor Frank M. Stewart of that institution. It is a painstaking study of the existing organization of the state administration in Texas. Mr. Stewart proposes a plan of reorganization based upon the needs of Texas and with due regard for the experience of other states in the matter of administrative consolidation. He recommends that the 91 existing administrative agencies should be consolidated into 14 departments under the control of the governor, and a council of education appointed by the governor to supervise the institutions of higher learning. The departments are as follows: finance, taxation and revenue, state, law, military affairs, education, health, agriculture, labor, commerce, conservation, public welfare, public works and buildings, and employment and registration. This plan of reorganization requires constitutional changes, since Texas has six constitutional officers besides the governor. The office of lietuenant governor is to be abolished. Mr. Stewart also proposes a plan of reorganization without constitutional changes, the arrangement of which is not so orderly as the other plan. It is estimated that the annual cost of the state administration can be reduced $1,000,000 by reorganization and the services greatly improved at the same time. This report is worthy of serious consideration on the part of the citizens and legislators of the state of Texas. They should find its 120 pages not only instructive but quite readable.

◆

California's New Type of Bond.—The state of California has a new type of tax exempt bonds which not only produces wealth, but which earns sufficient to pay both interest and principal without requiring additional taxation. These securities are the California irrigation bonds. They are said to combine the characteristics of both municipal and utility bonds. Certain irrigation districts are empowered to issue these bonds. They are secured by the property in each district; and as an investment, they are exempt from the federal income tax. Certain large power companies have agreed to pay the irrigation districts for the privilege of using the stored water for generating power. The payments of these companies are declared to be more than sufficient to cover interest and serial maturities on the bonds issued by the districts.

◆

Proposed Constitutional Amendments in New York.—Four constitutional amendments are to be submitted to the voters of New York state at the general election in November. Three of these amendments are quite important and have already been the subject of much discussion. The least important is an amendment to article 6 of the constitution relating to the judiciary.

One of the amendments to which considerable publicity has been given is the proposal to empower the legislature to create a debt of not exceeding $300,000,000 for the elimination of railroad grade crossings. Fifty per cent of the cost is to be borne by the railroads, 25 per cent by the state government, and 25 per cent by the city, town, or village.

Another of the proposed amendments is designed to empower the legislature in each of ten calendar years to authorize the creation of a debt not exceeding $10,000,000 in any one of these years, the proceeds to be used mainly in the construction of buildings at the various state institutions. Under this plan $100,000,000 of bonds may be issued over a period of ten years and spent under the direction of the governor. This proposed amendment has already been the subject of a joint debate in Carnegie Hall, New York City, between Governor Smith and ex-Governor Miller. This discussion attracted wide attention and was broadcasted to the country through radio.

Last but not least among the proposed amendments is one providing for the consolidation of the multitude of existing state administrative agencies into 20 departments, and abolishing the elective offices of secretary of state, state treasurer, and state engineer. The state comptroller's duties are to be limited to those of audit and control. The proposed departments are as follows: (1) executive, (2) audit and control, (3) taxation and finance, (4) law, (5) state, (6) public works, (7) architecture, (8) conservation, (9) agriculture and markets, (10) labor, (11) education, (12) health, (13) mental hygiene, (14) charities, (15) correction, (16) public service, (17) banking, (18) insurance, (19) civil service, and (20) military and naval affairs. The departments of audit and control and of law are to be headed by the comptroller and attorney general respectively, both of whom are to remain elective for the same term as the governor and the lieutenant governor (two years). The head of the department of education is to be appointed by the regents of the university, and the head of the department of agriculture and markets is to be appointed in the manner prescribed by law. The heads of the other departments are to be appointed by the governor with the advice and consent of the senate. No new departments are to be created. In the event new functions are undertaken, they are to be placed under one of the twenty departments. This proposed amendment has been the subject of almost continuous discussion since the constitutional convention of 1915. It has been sponsored from time to time by both the Democrats and the Republicans of the state. Some refer to it as the Smith plan, others as the Root plan of reorganization. We shall expect to hear more of this, as well as the other amendments, when the big artillery is drawn up and put in line for the fall campaign.

◆

Survey of State Debts and Securities.—The Bank of America, New York City, has just published a comprehensive and valuable survey of the state debts and securities. It is a revision of a similar publication brought out in 1922. By means of tables and charts, it presents a comparative view of the entire field of state financing by means of bonds. This survey shows that between 1922 and 1925 approximately $577,500,000 of new state bonds were issued, while about $90,000,000 were retired. The present gross bonded indebtedness of state governments totals more than $1,558,000,000, which amounts to a national per capita debt of $13.89. New York has the largest bonded debt of any state in the Union, namely, $320,991,000. Massachusetts stands second with a debt in round numbers of $125,000,000; Illinois is third with a debt of $112,000,000, and North Carolina is fourth with $105,000,000. Three states, Nebraska, Kentucky and Wisconsin, have the distinction of having no bonded indebtedness. Kentucky has over $5,000,000 of floating indebtedness, and Wisconsin is indebted to its trust funds to the extent of $1,900,000. South Dakota has the highest per capita debt of any state in the union, it being $93.95, or nearly six times as great as the national per capita debt. Oregon is second with a per capita debt of $72, North Carolina is third with $38.87, and Delaware is fourth with $36.76.

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EDITORIAL COMMENT

The *New York Times* of September 12 commented at length in its editorial columns on Professor Brooks' article appearing in the September REVIEW. We quote two sentences from the comment: "Professor Brooks of Swarthmore College was lucky enough to be in Paris at the municipal election last May. We are lucky enough to hear about it from a man who thoroughly appreciated the show."

*

The National Conference on the Science of Politics

The third meeting of this conference was held at Columbia University on September 7–11. The registered attendance reached 102, consisting of professors, researchers, civic workers, public officials, and others interested in government. Ten round tables were conducted on the following subjects: (1) politics and psychology, (2) the personnel problem, (3) public finance, (4) legislation, (5) political parties, (6) constitutional law, (7) nomination methods, (8) international organization, (9) municipal administration, and (10) regional planning. The directors of these tables reported the results of the discussions to the conference as a whole on the last two days of the session.

Judging from the reports of the different directors, nothing unusual seems to have grown out of the round-table deliberations. It appears that emphasis was placed upon projects for study rather than upon methods as had been the case in the two preceding meetings of the conference. The round tables were more in the nature of graduate seminars. Many individuals were present who were seeking information on their immediate tasks and had little to contribute to the formulation of scientific methods for the broad study of politics. In fact, the original conception of the conference was so changed by the character and interests of those who attended this meeting that some of the leaders expressed doubt as to whether or not the conference should be continued.

However, we do not intend to leave the impression that the conference was without any bright spots. Dr. Beard delivered an inspirational and entertaining address at the opening meeting of the conference. The theme of his address was "the reflections of a Connecticut farmer on some of the problems of government." He concluded his reflections with some friendly and worthwhile advice to those who are doing research work.

*

New York Home Rule Amendment Declared Valid

The court of appeals reversed the opinion of the lower court on September 2, declaring the home rule amendment to the state constitution to be valid. This decision restores the legal status of bills passed by the municipal assembly of New

York City and about forty other cities which have availed themselves of the home rule law.

The court merely announced its decision; no opinion was handed down. The right of New York City to operate buses was not decided. The court announced that this question was to receive further consideration and that a decision would be handed down with accompanying opinions at the October session.

The decision of the court of appeals was unanimous, and reversed the unanimous decision of the appellate division given on July 6. The court of last resort acted promptly in the case. It held the amendment was legally and properly adopted and had been a part of the constitution since January 1, 1924, and that consequently the home rule statute is valid.

When the court of appeals hands down an opinion and it is compared with the opinion of the appellate division, written by Justice Burr, there will probably be enough of contradictory arguments in the two for the constitutional lawyers to fight about for at least a generation. But for most of us, the thing is settled; the home rule amendment stands. On the grounds of public policy, perhaps this is best, whatever may be the fate of the experiment. It is likely that the interpretation of the language of the amendment will put a heavy burden upon the courts. Those who have read the amendment will doubtless agree with Professor McBain that it contains "curiously inept phraseology."

*

The Watchdog of the Treasury

Congress evidently did not realize the trouble it was storing up for itself when it created the office of comptroller general. It wanted a watchdog of the United States treasury, and now it has one in the person of Comptroller General McCarl. When the office was first created in 1921 the public heard very little from it, but it did not take long for Mr. McCarl to find himself and begin to hit his stride. By 1923 he was in conflict with cabinet members by asserting his superiority in passing upon their departmental expenditures. The attorney general's opinion on the matter did not seem to disturb him. Later he characterized the decisions of the court of claims as merely "persuasive."

Recently some of the departments have become very much exasperated at the comptroller general's actions. They claim that he is a "czar," since he has a 15-year tenure of office and can be ousted only by a joint resolution of Congress. They feel that in his intrenched position he would shake his fist at the Supreme Court of the United States should it dare to define his authority! They are more convinced than ever that the United States should have a courteous and well-behaved watchdog of the treasury, and not a pugnacious bulldog! They are planning a drive on the next session of Congress for a curtailment of the comptroller general's powers.

All this talk evidently does not faze Mr. McCarl. He goes about his duties as usual. Be the expenditures large or small, they receive the same scrutiny. Not long ago he queried a bill of more than $18,000,000 submitted to the shipping board by a Seattle firm. Then he held up a $1.50 luncheon claim submitted by a government employee at Washington, his contention being that a five-mile trip across the Potomac does not constitute "travel" in the meaning of the law which allows expenses of that nature. Recently an employee of the department of commerce submitted an expense account of $4.22 for gasoline and oil used in his automobile on official business. Mr. McCarl allowed only half of it because the man's wife accompanied him on the trip. Obviously, the comptroller general knows what his duties are, and he is not afraid to take action. All of which seems to fit into this era of Coolidge economy. What can we expect Congress to do toward muzzling this watchdog, or (if you like) bulldog, of the treasury on the eve of a congressional election?

*

Our Municipal Traffic Problems vs. Those of London

Sometime ago Sir Henry Maybury, now director general of highways in England and chairman of the London traffic committee, came to this country to secure what hints he could on the handling of traffic in Manhattan. The British metropolis has its transportation problems much akin it seems to those that afflict New York City. But in England the matter has become a national as well as a local responsibility. Parliament passed the London traffic act, under which the minister of transport, assisted by an advisory committee, is now responsible for the control and regulation of city traffic within an area covering a radius of 25 miles from Charing Cross.

The main improvement so far is a reorganization of the motor bus routes and numbers. In this way the number of buses have been restricted and the number of routes increased, so that the average bus speed has been increased a mile an hour within the last year. Prior to that time buses clogged the streets at the heavy traffic hours and impeded rather than helped the home-going crowds. An effort has been made to co-ordinate street repair work by requiring that all water, gas, and other work which requires the closing of a street to traffic must be performed at the same time the particular street is torn up for road repairs.

It is estimated that a population of 9,000,000 lives within 25 miles of the center of London. A large part of this population lives in the suburbs, and the problem there as in New York, is to bring the working millions into the city in the morning and take them back to their homes at night. Sir Henry has great faith in the bus to meet this traffic situation; in fact, he considers the trolley "obsolete." In contrast with this point of view is that of Mr. Thomas Adams, whose article on "Regional Planning in New York" appears in this issue of the REVIEW.

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Kansas City Charter Upheld

On August 25, the supreme court of Missouri rendered an opinion upholding the Kansas City charter in a test case. Two judges dissented. The case had been brought before the court by stipulation, both sides agreeing to have the charter fully tested through the medium of a petition for a writ of quo warranto or ouster suit. Several points were involved in the case. It was contended that the charter was invalid because a part of it was to take effect on February 24, 1925, when it was adopted, and the remainder of it was not to take effect until April 10, 1926. It was further contended that the election of councilmen under the new charter would be illegal if held in November, 1925, because the districts had not yet been created or defined by law. Another contention was that the election at which the charter was adopted was void because it was not held according to city ordinance. It was also contended that the charter was invalid because it provided for a single house council and the appointment of a city manager. There were several other less important contentions. All of these contentions were considered and dismissed by the court in a rather lengthy opinion prepared by Judge Atwood.

An article on certain features of the charter by Walter Matscheck, director of the Kansas City Public Service Institute, appears in this issue of the Review.

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River and Harbor Pollution What we are going to say is a little far-fetched, but it gets at the point eventually. Not long ago "Freckles" Devine, a six-year-old boy of Philadelphia, swam across the Hudson from the foot of 136 Street in thirty-five minutes. It is not the time it took this youngster to swim across that is the important thing, for some grown-up had made the same crossing in seven minutes less time. But it is what he was heard to ask on the way over when a wave slapped him in the face and he swallowed a mouthful of water: "What the hell do you think of people who will live along a river that tastes like this?" Those were harsh words, and his mother who accompanied him in a boat rebuked him for such utterances.

But those who know the state of pollution of the Hudson river are inclined to excuse the language of this youthful judge of river waters. Certainly something should be done about it. A commission is soon to make a study of such conditions in the streams and coastal waters of New York state. Perhaps, as a result of this study, measures to reduce the pollution as far as possible will be worked out and the necessary legislation enacted.

Another Effort at Federal Reorganization It is reported that Senator Smoot of Utah will reintroduce the reorganization bill, reported in June 1924, when Congress again convenes in December. This measure is the result of efforts starting as far back as 1920. Senator Smoot will lead the fight for the passage of the bill in the senate and Representative Mapes of Michigan will do the same thing in the house.

The plan of reorganization which the bill outlines is not perfect by any means, but it is a step in advance. The future success of the budget system certainly depends in a large measure upon some reorganization of the federal bureaus and agencies. While the actual reduction in operating cost through the proposed consolidation is a moot question, it is estimated that $250,000,000 a year might be saved. At any rate, the number of federal employees would be greatly reduced by the adoption of the reorganization plan.

Speaking of the failure of previous plans, Secretary Hoover says:

> Every single item in such a program has invariably met with the opposition of some vested official, or it has disturbed some vested habit and offended some organized minority. It has aroused paid propagandists. All these vested officials, vested habits, organized propaganda groups, are in favor of every item of reorganization except that which affects the bureau or the activity in which they are especially interested. No proposed change is so unimportant that it is not bitterly opposed by some one. . . . These directors of vested habits surround Congress with a confusing fog of opposition. Meantime the inchoate voice of the public gets nowhere but to swear at "bureaucracy."

CLEVELAND'S PROPORTIONAL REPRESENTATION ELECTION

BY NORMAN SHAW

An interesting story of how the charter amendment designed to return from P. R. to the old ward system of electing councilmen in Cleveland was defeated. :: :: :: :: :: :: :: :: ::

A CERTAIN Cleveland citizen was reported to have gone to his precinct election booth for the proportional representation referendum of August 11. He arrived at 8.20 o'clock, an hour and fifty minutes after the booth had opened, and found that no ballots had yet been supplied for voters' use. Perhaps he also discovered the precinct judges playing pinochle or out in the lot pitching horseshoes, trying to offset the dullness of twelve hours on duty and almost no voters.

The election was the lightest since Cleveland has become a metropolis. Of the 211,828 registered voters, only 41,271 came out to the polls. The P. R. system, as incorporated in the two-year-old city charter, was sustained by the narrow margin of 565 votes. The final score was: for the amendment, 20,353; against the amendment and for P. R., 20,918. The result came as a distinct surprise to leaders on both sides of the contest.

The concern of the few, however, in a measure compensated for the apathy of the multitude. The campaign aroused tremendous interest among civic leaders and municipal experts, and it brought many observers to the city who watched the trial with their own local problems in mind. This was to be expected, since Cleveland is the largest city operated under the manager form, and the largest governmental unit in the new world with the proportional method of voting.

EVENTS LEADING UP TO REFERENDUM

Before studying the referendum in detail, it might be well to understand the events leading up to it. The charter which provided for a city manager and for proportional representation was adopted by a 30,000 majority of the voters in 1921. The change came as a direct result of popular rebellion against bad city government as exemplified under the aldermanic system during the war years and immediately thereafter. Election of the first council under the new charter was delayed by state law until the fall of 1923, and the new government came into existence on the following January first. William R. Hopkins of Cleveland was elected city manager.

Since that time the success of the plan has been almost universally acclaimed, and no attacks were made on the charter until this year's August election. Then forces on each side of the dispute tried to take credit for the manager plan and its achievements; everyone admitted the council was the best Cleveland had ever had; all tried to capitalize the personal popularity of the manager. The amendment voted upon was not an attack on the manager form of government; it was simply an attempt to abolish the P. R. method of voting as incorporated therein.

"The city manager plan of government is in no wise affected by the proposed amendment and there is no idea of changing it," W. Burr Gongwer, Democratic leader, said in urging the amendment. "Under Mr. Hopkins the plan works well and ought to be continued if the present experience endures."

The real cause for dissatisfaction was this: Under the P. R. plan a council of 25 was elected at large in four districts, on a non-partisan basis. Naturally, such a scheme proved a serious check on party control of the council. The August election came in consequence; the two parties sought to reëstablish their authority over city politics. This, at least, was the common interpretation put on their efforts. It was party forces who petitioned for the amendment and waged the campaign for its adoption. Their plan sought a return to the system used previous to the introduction of the Mary Ann preferential ballot in 1913. A resident councilman would be elected by plurality vote, on a party ticket, and without primary, in each of the city's 33 wards.

THE CAMPAIGN LINE-UP

From the beginning, the campaign line-up showed partisan forces on one side, and independents on the other. Democrats and Republicans merged in one powerful bi-partisan machine to crush P. R. Leaders from either party invaded the inner sanctums of the political clubs of the other, and public meetings generally scheduled speakers from both. The executive committee managing the campaign contained an approximate balance of names from each party, and, incidentally, no name without partisan affiliation. The campaign was largely operated out of the office of Maurice F. Hanning, Democrat, president of the Cuyahoga Club, and first author of the anti P. R. movement. Another active leader was Maurice Maschke, city Republican chieftain, and others were W. Burr Gongwer, Democratic chieftain, and A. J. Hirstius, Republican clerk of the board of elections. Newton D. Baker contributed articles in favor of the amendment.

Respects were paid to the two bosses, Maschke and Gongwer, in a little campaign ditty written by Edmund Vance Cooke, Cleveland's poet. His last verse was:

Many reasons there are, for voting P. R.,
As any sane man will concur,
But the two most resplendent, *against* the amendment,
Are the twin reasons, Mawruss and B–rr!

"The political miracle which many had suspected had occurred in the municipal campaign of 1921 is now an indisputable fact," was the comment of a Cleveland paper on the formation of the bi-partisan committee. "The Republican and Democratic organizations of Cuyahoga County have joined forces. . . . Once no one dreamed of a time when Republicans and Democrats would walk together!"

On the other side of the fight stood the "Charter Defense Committee," an independent organization defending P. R. and nominally led by D. S. Humphrey, a business man. The real power of their campaign was Professor A. R. Hatton, political scientist at Western Reserve University, author of the city charter, and municipal expert. Almost single handed he organized the committee, whipped his campaign into shape, and won the victory. Other leaders were Peter Witt, independent councilman and former state manager for LaFollette, Miss Marie Wing, councilwoman, and James J. Hoban, labor leader.

ARGUMENTS PRO AND CON

So much of the story is largely fact. But when we analyze the course of the two campaigns and the arguments presented on either side, we enter the less positive field of opinion. It can safely be said, however, that both refused to face the real issues, to talk to the point, or to fight their case on its genuine merits. This is not saying the final vote should therefore be discounted; the people showed they understood the points at issue with a greater degree of intelligence than the campaigners gave them credit for having. In the heated controversy previous to August 11, the most puerile, shallow, and pointless arguments were in daily evidence. This failure to face the real issues was partly a result of the campaign line-up, with party men on one side and independents on the other. A class war does not tend to become academic.

The whole affair might well be called a battle in the clouds. Each side argued loudly and fought fiercely, without approaching the subject of the real virtues or demerits of the proportional representation system of voting. There was endless jabber about the complexity of the system, and no effort made to explain it. One side shouted "Dirty politics," and the other "Hair-brained reformers," and both continued to shoot in the dark. Occasionally, but only occasionally, one could hear an illuminating speech, which really went to the roots of the question, but the great bulk of the controversy developed into the children's game of calling names.

For example, here is what I heard an amendment leader deliver himself of one night at a bi-partisan political gathering: "The only places in the world where they have P. R. are Tasmania, New Zealand, New South Wales, Saskatchewan, Winnebago, Ashtabula and Boulder, Colorado," and then he added oratorically, "Fine company we are keeping!" Fortunately, George H. Hallett, Jr., of the National P. R. League, in Cleveland for the campaign, was not a member of the audience. Another time a particularly misinformed speaker attacked P. R. because of the "Thousands of voters who are disenfranchised when their votes are left over on unelected candidates."

Another typical campaign argument I heard one night, when a speaker said, "These P. R. people say the amendment is proposed by the political underworld. Yet forty women helped circulate the petitions. I call on you as citizens to resent this slur on our motherhood, to revenge this insult by going to the polls and voting out this P. R. monster." Perhaps the motherhood he referred to was represented by a women's political club president, who told me, "We don't want no system where yer don't know who yer votin' for."

The P. R. forces did little better. They were first of all guilty of begging the question when they named their committee "Charter Defense." P. R. may have been a factor in the success of the charter, but it was surely not the sole requisite to its existence. This evading the issue was carried out in their campaign slogan, "Save your city charter." The poem of Edmund Vance Cooke was about as scientific an argument as could be heard, with a possible exception of some of Professor Hatton's speeches.

Nor did the newspapers do anything to clarify the issues. The two papers with largest circulation were both in favor of P. R. and opposed to the amendment, one solely on the ground that the system had not been given a long enough trial. The other waged its campaign as an attack on the bosses. Neither argued the merits of any system of voting. The other two dailies, both of which were Republican, urged the amendment with the same arguments as were daily heard in public meetings. Foreign language papers generally supported P. R.

At the beginning of the campaign the P. R. supporters, poorly organized, concentrated their attack on the validity of the amendment petitions, in an effort to prevent the election taking place. The honesty of the circulation and signing of the petitions, and the correct number of signatures, developed considerable controversy, which finally got into the courts. This early phase of the fight was led by the Citizens' League and its director. Its efforts were fruitless, if not detrimental, to the real cause of P. R.

CONDUCTING THE CAMPAIGN

Once the election date had been definitely set by the council, the P. R. committee organized a campaign and scheduled meetings throughout the city. Crowds came slowly. In one week I went to three meetings which were called off when few people appeared. Many others, of course, were held. In these the case was defended almost solely as an attack on the political machines and bosses. Charges of fraud were promiscuously hurled, party control of the council attacked, and partisan aims at patronage thoroughly aired. The "Dirty political gang" came in for its own, while P. R. was forgotten in the hubbub. This type of campaign was probably good strategy, for it hit a more pregnable point in the opposition than any dry discussion of theories of voting could have discovered.

There were some exceptions. Professor Hatton spoke frequently, and presented much more intellectual arguments for P. R. than were otherwise heard. The increased percentage of voters who helped elect under the new plan, the increased number whose first choices were elected, the virtues of complete minority as well as majority representation, and the proper relation between a councilman and his constituency, were matters he clearly and brilliantly discussed. It is interesting to note that of the four public debates in which Hatton was scheduled to defend P. R., his opponents failed to put in an appearance for the last three.

The forces on the other side built their campaign around three central arguments. The first was, that P. R. created legislative blocs, tending to divide the council membership on racial or religious grounds. They cited the European multiple party system, existing under P. R., as proof of their allegation. This may have been well taken, but in the campaign it developed a certain two-facedness which cast some doubts on the sincerity of its promulgaters. I have heard one speaker go into the foreign sections and say that P. R. prevented the voters there from securing adequate representation, and then travel into the wealthy parts of the city and attack P. R. as a breeder of blocs which gave foreigners control of the council.

The second argument most frequently heard against P. R. was that the system was too complicated, and difficult to understand. As a result, they said, the citizen had no satisfaction of knowing what his vote meant or for whom it was going to be used, and consequently he was encouraged to stay away from the polls. Many times I heard a plea for a return to "The good old simple American way of marking an x before the name of the man you want."

"Only the college professor can understand this system," audiences were told, "and he is likely to have his ballot destroyed because of mistakes. They tell you this is the latest. Probably in a year or two they will dig up a new scheme and try to wish that on us."

A third point raised in favor of the amendment was the "unrepresented ward" argument. It was shown that out of the 33 old city wards, twelve had no resident councilman. Therefore these wards were slighted in securing improvements, and were the victims of taxation without representation. As a matter of fact, in the previous election every one of the "unrepresented wards" cast the majority of its first choices for non-residents. But a special effort was made to swing these sections of the city strongly for the amendment. The results, to anticipate a little, were a great disappointment to party leaders, for eight of the twelve wards went on record as favoring P. R.

As the election approached, it was generally believed that the amendment would win. One newspaper wit remarked, the only hope for P. R. was that voters would think the amendment was a bond issue and so vote against it. A vote of 65,000 was predicted, with a 2 to 1 majority against P. R. The smaller the vote, the greater the chances for the amendment, it was believed. On election day one Republican daily carried an eight column line: "Light Vote Cheers P. R. Foes." It was confidently expected that the party man would come out first, and the independent stay at home.

THE ELECTION—P. R. WINS

The result came as a double surprise: a light vote, and P. R. victorious. On the evening when returns were coming in I happened to be on the newspaper office end of a direct line to the election headquarters, and had the pleasure of relaying news of the victory to the P. R. offices. The shouting and yelling which came vibrating over the wire when the news was heard, I shall never forget as a proof of how great and how pleasant the surprise was to them. Led by Hatton, they paraded to the Public Square and as many as could sat on the capacious bronze lap of the statute of Tom L. Johnson, civic leader of years past.

"The victory to-day is especially noteworthy," Hatton said, "because we have beaten the politicians on their own ground and at their own time. The result is especially gratifying because of the small number of votes cast." Hallett of the National P. R. League, commended the victory, as clearing the way for the introduction of P. R. in other cities.

The margin of victory for proportional representation, though small, was probably sufficient to retain the system for some time to come. One vote of confidence will tend to inspire another. Even aside from the P. R. question, it was probably particularly fortunate that this first attack on the charter failed, lest success there would encourage other changes which would ultimately destroy all the advantages the manager system had.

A very important result of the election was to weaken the city's political machines. Both Democrats and Republicans, merged in a common organization, were badly beaten when everything seemed to be in their favor. Not only did they fail to bring out their party vote, but where wards considered strongholds did respond, the voters showed little disposition to follow bosses' dictates. Several party leaders failed to swing their own wards. Of the 25 members of the council, 17 of whom went on record against P. R., 16 of them saw their own wards turn out a majority against the amendment.

On the other hand, independent forces were greatly strengthened. The election was a victory for the nonpartisan and the liberal, and the four unaffiliated council members will probably see their ranks augmented at the coming November election. The referendum clearly showed a popular disposition to disregard party names and to vote on the merits of an issue rather than on its party relationships.

Cleveland has developed a habit of springing the unexpected in politics. Its vote for the manager plan four years ago set the pace. Last fall when the city carried for LaFollette the same tendency again reasserted itself. Now, in sustaining proportional representation, Cleveland once more goes on record as the home of a liberal electorate.

THE STATE POLICE

AN EXPERIMENT IN POLICE ADMINISTRATION[1]

BY BRUCE SMITH
National Institute of Public Administration

This article is based upon Mr. Smith's recent study, "The State Police: Organization and Administration" (Macmillan). It deals in a general way with some of the larger aspects of the state police question. :: :: :: :: :: :: :: :: ::

THE American rural police system was founded in a time when this country was a wilderness, dotted here and there with settlements and hamlets. In the course of three hundred years a fundamental revolution has taken place in the life of the people who shaped that police system to meet their needs. There are now whole states in which the density of population per square mile is equal to that of some of the oldest nations of Europe. The entire country is knit together by a network of railways and improved highways that have literally wiped out county and state boundaries. Huge industrial cities have sprung up and spread their suburban and satellite towns for miles into surrounding counties and states. Great rural sections, without becoming cities in themselves, have been transformed into densely settled industrial areas. In some of the mining sections, farms with cultivated fields cover the superficial area, while mines containing whole armies of men are developed underground.

RURAL CRIME AND PROTECTION

It is not necessary to multiply illustrations showing the radical character of the revolution wrought in American life since the establishment of our rural police system. To do this would be to document the obvious. And yet, in the midst of these revolutionary transformations, there has been no essential change in that system, except in those commonwealths that have begun to experiment with state police forces. It is in the light of these stupendous facts, and in this historical setting, that all efforts to deal with the new problems must be considered.

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[1] The above article contains material taken largely from the first and last chapters of "The State Police." This book was published September 15, 1925. The excerpts here made are covered by copyright and are printed by courtesy of the Macmillan Company.

The sheriff-constable system, being but a rudimentary device, has failed to meet the situation satisfactorily. In some cases there has been no attempt to make it efficient. The steady infiltration of alien elements into rural sections—elements which experience has shown and statistics prove to be especially troublesome from the standpoint of the police—has added still further to the difficulty. The sheriff and the constable have been brought into contact with a much larger number of people, native and foreign, of criminal intent or tendency, than ever before. And the prevailing system of rural police protection—the system rather than the individuals composing it—is conceded to have failed.

Responsibility for the condition which has arisen rests squarely upon the state government. Counties, towns, county divisions and districts, and the like, are created by the state for the furtherance of its own interests and as mere convenient agencies. This is especially true of the administration of justice. The criminal laws are for the most part state laws; offenders against them are arrested by officers acting for the state and in the name of the state. The sheriff and the constable, although selected by the local subdivisions of the state, have almost universally been held to be state officers. Removal by the governor or impeachment by the legislature is provided for the sheriff in a few cases. Nowhere, however, are the sheriff and the constable constituted as integral parts of the administrative machinery of the state. There is no intimate organic relationship between them, nor even closely related effort.

THE STATE POLICE AND STRIKE DUTY

In addition to these considerations relating to rural crime control, a few state police forces have at times found themselves responsible for the maintenance of order in industrial disputes. In fact, the state police have thus far been examined and studied chiefly with reference to their performance of strike duty. The resulting controversy has been long, and at times bitter. Although many questions thus raised remain still unanswered, it must be conceded that the problems there involved are social and economic, and that their solution is not a matter which can be effected by any police force, whatever its composition, direction or authority.

On the other hand, there is no disguising the fact that American communities are inclined to resent the use of outside force for the suppression of local disturbance. If all of these were able regularly to maintain order without other aid, the question might easily and satisfactorily be solved. Experience has shown, however, that actual and flagrant disorder has frequently required the interposition of the military power of the state or nation.

Where state police forces have been established, the state government has naturally employed them whenever local conditions seemed to require its intervention. The question has therefore been squarely raised as to what restrictions, if any, should be placed upon their use.

The charge is also made that the arrival of the state police sometimes inflames the strikers to provocative acts and precipitates a conflict which their leaders are most anxious to avoid. This contention is so thoroughly reasonable as to suggest the desirability of drawing some distinction between a *strike* and a *riot* in defining the sphere of the state police. Exercise of the right to quit work when collective bargaining fails need not necessarily involve the intervention of the state. There is no reliable evidence that the state police aim to regulate strikes as such, but if their powers in this respect are to be limited at all, they might best be required to withhold their action in places having an organized police force until some overt act had been committed, and then mobilize their forces at the scene of disorder upon the order of the governor or the request of the mayor when approved by the governor.

In view of the responsibility which the state has for the protection of its citizens and their property, it is difficult to see how any further restriction can be placed upon the use of state agencies. If the state police are not employed in a grave disturbance, the militia will be, unless the state government abdicates—and so a vicious circle is created. The fact may as well be recognized that while a police force requires careful provision for democratic control, the means employed to that end must be concerned with the organization of the force and the discipline of its personnel from top to bottom, rather than with serious restrictions on its powers as a peace-maintaining agency.

THE EXTENT OF STATE POLICE FORCES

The term "state police" does not carry any precise meaning. It is frequently applied to loosely organized reserves which may be called into active service in emergency, or to subordinate bureaus concerned wholly or chiefly with the enforcement of the motor vehicle laws, as well as to police agencies which in point of fact are really county organizations. These multiform instrumentalities have been created as a means for supplementing the peace officers traditionally associated with the administration of rural government. Their special significance lies in the recognition of the fact that, in the preservation of the peace, the state government has a duty to perform, a right to defend, and that there are interests to protect which require its intervention.

We are here directly concerned only with that type of state force comprising a numerous and permanent body of police officers who are clothed with general police authority, state-wide in its extent, and regularly exercised. As thus defined this category includes the state police of Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Pennsylvania, West Virginia, Michigan and Texas. Delaware and Maryland might also be included in the foregoing list with certain qualifications.

Taken together, these state police systems offer an inviting field to the student of police administration. They have developed in a new and favorable environment. The administrative processes of some have been but little influenced by other governmental agencies, and they have enjoyed direction and supervision of a kind which is all too rare in police work.

TENURE OF THE ADMINISTRATIVE HEAD

The first outstanding feature of state police systems is the tenure given to the administrative head. In actual practice the administrative head has enjoyed an official security out of all proportion to the statutory safeguards which have been provided. Although the statutes either prescribe a fixed term of four or five years, or place the superintendent completely at the will of the governor, there is as yet no indication that the principle of tenure during good behavior has been violated except in Texas. The whole organization of the Rangers is so involved that it is difficult to trace the cause of this condition with assurance. It is probable, however, that it is chiefly due to the fact that the adjutant general, a political officer, is placed in immediate charge of the force. With his retirement a large part of the force is overturned almost as a matter of course.

In all of the other forces one may see a new tradition of public service in the making. Security of tenure for the administrative head is coming to be the accepted thing. In Pennsylvania this tradition may be said to be definitely established, with twenty years of consistent adherence to the principle to prove it. But several of the other states, notably New York, are already well past the critical stage and show every promise of duplicating the experience of Pennsylvania.

THE SCHEME OF ORGANIZATION

A second feature of the state police consists in the scheme of organization which has been followed. Although there have been certain marked departures, the organization of state police forces is generally characterized by extreme simplicity. Subordinate bureaus and divisions have been so limited in number that actual supervision by the administrative head is quite within the range of possibility. Activities which are necessarily separate and distinct are so grouped and correlated that immediate supervision can be effected by a bureau chief.

The administrative head cannot become involved in adjusting the complex interrelation of daily activities without surrendering to routine in the end. When that surrender takes place the administrative head ceases to be a leader and becomes merely a cog in the machine. Further down in the official hierarchy the number of subordinate units may be increased, until, at the very bottom, where the units to be supervised are not activities but individuals, they may reach a considerable number. But at the top, the lines of authority converge upon a mere half-dozen men, or an even smaller number, who report directly to the administrative head. The latter is left free to experiment and test, to adapt and to apply various means to a given end. Intelligent leadership may thereby be made effective.

UNIFIED AND RESPONSIBLE CONTROL OF PERSONNEL

It is in the matter of the control of personnel that the state police have most clearly departed from accepted methods. Here is a group of police forces, in the service of a considerable number of representative states, which has broken completely with the civil service commission tradition. The power of a superintendent of state police is as broad as the formal responsibility which is placed upon him. He can hire and he can fire according to standards which are the product of his experience. Formal tests for him are merely a means to an end. They represent tentative measurements of personal capacity. What he wants, and what he must at all costs have, is a body of raw recruits whose character, intelligence, education and experience are such that with capable direction, with training and discipline, a reasonable proportion may be fashioned into competent policemen.

Most state police administrators exercise equally extensive powers with respect to disciplinary action and dismissals. Experience with American police forces has amply demonstrated for us the destruction of discipline and morale which follows any division of responsibility in this matter. It requires but one or two reversals of the judgment rendered by police authorities to make the rank and file understand where the real power and control is vested, and when that realization comes, the police administrator finds his prestige materially weakened. The agency which pronounces the last word in disciplinary cases wields the preponderating influence.

Let us by all means have continuity of police service, but let that principle of continuity be applied first of all to the administrative head. If he is surrounded by suitable safeguards for security of tenure, there need be far less concern over the protection offered to his subordinates. If he is relieved from the continuous pressure of political influence, he can more readily be entrusted with the power to make and remake the police force to meet the demands placed upon it. There will then be ample security for the capable policeman, and no security whatever for those who lack capacity for the work.

RESISTANCE TO POLITICAL INFLUENCE

Politics and the police most usually present a thorny question. One might well hesitate to draw sweeping conclusions relating to such an ill-defined subject from what might appear to be insufficient data. Moreover, the environment in which the state police experiment has been conducted probably is more favorable than that which surrounds the police department of a large city. Political influence has been somewhat more remote. Nevertheless, administrative heads of even the most successful state systems can testify that powerful political pressure has been brought to bear upon them from time to time. In some of the older forces such efforts to influence the administration of the state police appear to have proved unavailing so consistently that the administrators' hands are now entirely free.

The manner in which political pressure has been resisted in Pennsylvania, New York and Massachusetts is especially striking. In New York, for example, the first superintendent promptly tendered his resignation to the governor a few days after his appointment as a protest against interference with the preliminary stages of organization. His resignation was not accepted, the interference ceased abruptly, and the contest between political patronage and administration was half won then and there. In Pennsylvania the regulations of the force provide that "any member of this force known to have used outside influence for the furtherance of his interests will be considered as acknowledging his incompetence and will be dropped from the service." Necessity for application of this rule has arisen but once. The action of the superintendent upon that occasion was so prompt and vigorous that the offense has never been repeated. The commissioner of public safety in Massachusetts recently declined to grant promotion to a member of the force on whose behalf political intercession had been attempted. In this case the commissioner had already decided to promote the aspirant in question. There was nothing to connect him with the political pressure which had been brought to bear on his behalf. But the commissioner ruled that the integrity of the force was at stake—that the matter was one of administrative principle which must be closely adhered to.

Illustrations of this general character have been duplicated again and again, not only in the states here cited, but in several of the others. In the light of our experience with the management and control of police forces, they acquire a special significance. Such things do not happen by accident in police circles. It therefore seems reasonable to attribute them to the superior type of organization which these forces have enjoyed, to the principles of administration upon which they have been founded, and to the character of the administrators who have been attracted to the service.

SIGNIFICANCE OF THE EXPERIMENT

Success in police administration depends upon sound organization and capable direction. It cannot be secured by compounding inferior methods with good intentions, nor by any of the customary safeguards against political control. It has been demonstrated repeatedly that a police force cannot be taken "out of politics" unless the responsible head is also taken out of politics. But the lessons of this experience even yet have not been learned. Some communities seem even to have ceased trying to fashion their police departments into dependable public agencies. They seem to have concluded that there is some necessary conflict between our democratic institutions and efficient police service. Nothing could be further from the truth. For while we have admired the achievements of continental police systems, very few have realized that there was a necessary connection between the opportunities which they have offered to intelligent leadership and the results which have been secured. The general assumption has been that the methods employed in western Europe, in Australia, in South Africa, and in British North America could not be successfully employed under our own governmental institutions. The state police have proved that this is not the case. Having broken away from our own police tradition, they have adapted tried and tested principles to American conditions. And there, in the last analysis, lies the administrative significance of the experiment which they have conducted.

THE FUTURE OF STATE POLICE

Forecasts are always dangerous and yet when they are based on observed tendencies they may be interesting if not useful. The changes in the conditions of rural life here described are likely to be accelerated rather than retarded in the immediate future. Fine highways will multiply and the use of the automobile continue to increase. The specialized criminal who has already appeared in the country-side will doubtless be seen more often in villages and in quiet lanes. Meanwhile, inevitably, the law-enforcement problems confronting the sheriff and constable will grow to larger proportions and become still more baffling to those officers. This much seems undebatable.

In a state police system, several of our commonwealths have sought to find a force adapted to the new conditions. From an administrative point of view, the organization and management of these forces show in general a decided improvement over municipal police agencies. From the social point of view a number of serious questions have been raised, and a few of the states have attempted to answer them by placing certain restrictions upon the use of state police on strike duty. It is not improbable that if the labor controversies involved in this phase of modern policing are fairly faced by all parties and the rural law-enforcement problem is considered on its merits, a technique and correct procedure for dealing with the maintenance of order in the disputes of capital and labor can be evolved. That this will not be done by avoiding the obvious or concealing the difficult, is certain. When that is accomplished, the way will be clear for the development of agencies competent to meet all the requirements of rural patrol. If after longer experience the verdict of history is to the effect that the state police are not the proper agents to deal with the new social order of the country, the problem of rural crime in the new conditions will have to be faced in some other fashion. If, however, the verdict runs to the contrary, and an organized state police force with defined jurisdiction and accepted procedure is found to be the right agency to meet the law-enforcement issues of the new time, then the experience of the state police bodies here briefly described will offer guidance for the legislators and administrators of the future.

CHICAGO THREATENS TO REVOLT

BY C. M. KNEIER
University of Illinois

The Illinois legislature adjourned on June 20, without having made a reapportionment of the legislative districts. There has been no reapportionment since 1901, although the state constitution requires it to be made every ten years. :: :: :: :: :: ::

THE present constitution of Illinois, which was adopted in 1870, provides that beginning with the year 1871, the general assembly "shall apportion the state every ten years," using the population as ascertained by the federal census as a basis. Despite this constitutional provision, there has been no reapportionment of legislative districts in Illinois since 1901; the cause is the rapid increase in population of Cook county (the county in which Chicago is located) as compared with the downstate counties.

When the constitution of 1870 was adopted, the population of Cook county was less than 350,000 people, out of a total of over two and one half million for the whole state. By the 1920 census, the population of Cook county is over three million and fifty thousand, out of a total of 6,485,000 for the whole state. Thus, in fifty years, the population of Cook county has grown from less than fourteen per cent to more than forty seven per cent of the total population of the state. The downstate counties have viewed with a degree of alarm this comparatively rapid growth of Cook county, believing that so large an aggregation of people in one comparatively small area would tend to act as a political unit and thus be able to control the policies of the state. There has been a growing conviction on the part of these downstate counties that the representation of Cook county in the legislature should be in some measure limited and this large body of consolidated power in one county should not be allowed, through its control of the general assembly, to determine the destinies of the whole state. This feeling has become so strong on the part of the downstate that their members in the Illinois legislature have refused to reapportion the state since that based on the 1900 census was made, even though the constitution of the state requires that it be done every ten years.

PRESENT REPRESENTATION

The constitution of Illinois provides for fifty-one senatorial districts, one senator and three representatives being elected from each district. On the basis of the 1900 census, the reapportionment which was made at that time gave Cook county nineteen senatorial districts and the downstate counties thirty-two; this gives Cook county fifty-seven representatives and the downstate ninety-six. Consequently, since the downstate members are in control of the general assembly, they can prevent the question of reapportionment from being brought to a vote, or if brought to a vote they can defeat it. A reapportionment based on the census of 1920 would give Cook county twenty-four senators and seventy-two representatives. Several attempts have been made since 1910 to secure a reapportionment in Illinois but in each case they have been unsuccessful. During the legislative session which has just closed, the members from Cook county have carried on their fight with vigor and determination but to no avail. They point out that while Cook county has 48.78 per cent of the total population of the State, it has but 37.25 per cent of the legislative membership. The same inequality exists, they assert, in the representation of Cook county if total amount of state taxes paid be taken as a basis for comparison.

FIGHT IN THE LEGISLATURE

The fight in the recent session of the Illinois general assembly has been led by John B. Fergus, an eighty-two-year-old Chicago citizen. He threatened criminal prosecution of eight senators and seventy-six representatives who voted against a reapportionment resolution, on charges of malfeasance in office. For the forty-eight lawyers who were possible defendants in these contemplated cases, Mr. Fergus declared that they had violated two oaths; one when they were sworn in as members of the legislature, and the other when they were admitted to the bar. A contemplated injunction suit against the secretary of state was also proposed to keep the names of legislators who voted against reapportionment off the ballot when they come up for reëlection. He has also declared that all legislatures in Illinois since 1911 are *de facto* and that their acts can be declared invalid. In 1915 he went before the supreme court of Illinois and nullified several appropriations because they were not made in accordance with certain provisions of the Illinois constitution. He has suggested that he might use the same tactics against the Illinois legislature which has recently adjourned, and whose acts he considers invalid, declaring it was illegally constituted because of the failure to abide by the constitutional provision for reapportionment every ten years.

COOK COUNTY THREATENS DRASTIC MEASURES

Cook county, despairing of securing coöperation from the downstate members of the general assembly in bringing about a redistricting of the state, has threatened drastic measures to secure what she considers are her rights. On June 1, 1925, the Cook county board of commissioners unanimously adopted a resolution directing the county treasurer to withhold state taxes collected by the county until the general assembly has performed every duty assigned by the constitution. The downstate newspapers referred to this action as a bluff and a joke, suggesting that the county treasurer and his bondsmen would be liable if the county taxes were not turned into the state treasury as required by law. The county treasurer of Cook county has since announced that he will pay over the state taxes collected by the county.

The city government of Chicago has also taken an active part in the fight to secure representation for Cook county in proportion to its population. On June 17, 1925, a resolution was passed by the city council directing the corporation counsel to start mandamus or other suitable proceedings to compel the legislature to reapportion the state in accord with the constitution, giving

Cook county representation in the general assembly based on the 1920 census.

CHICAGO WOULD BECOME A STATE

Chicago's latest move to secure a reapportionment is a threat to secede from the state and form a State of Chicago. On June 30, 1925, the city council adopted a resolution calling for a two-year campaign for legislative reapportionment, to be followed by a session movement if the general assembly again refuses to redistrict the state at the next regular session in 1927. The resolution authorizes Mayor Dever to name a committee of one hundred and fifty citizens, including members of the council, the county board and civic organizations, to conduct a campaign to arouse the sentiment of the people of Cook county and present a determined and emphatic claim for reapportionment in 1927. If the legislature again fails to carry out the constitutional mandate to reapportion the state, the committee is authorized and empowered to petition the legislature to pass an act consenting to the forming of a new state, defining the boundaries and calling the election to determine whether the people of the proposed state desire to separate.

The possibility of secession by Chicago seems somewhat remote. The consent of Congress and of the Illinois legislature is needed and the downstate is in control in both houses of the latter. Certain newspapers have jeered at the idea of the formation of a State of Chicago as preposterous and impossible and point to the Ordinance of 1787 as a document prohibiting the creating of another state in the old Northwest Territory. Those who support the Chicago contention that separation would be legal declare that the Ordinance of 1787 was superseded a year later when the constitution was established upon the ratification by nine states.

The fact that the constitution of Illinois provides for a reapportionment of legislative districts every ten years is unquestioned; but it is equally clear that the downstate members of the legislature are determined that Chicago shall not gain control of the destinies of the state. If it is necessary to ignore a provision of the constitution in order to prevent control by Chicago then they take the view that "the welfare of the state is the highest law." It has been suggested that Illinois profit by the experience of some other states and give Chicago representation proportional to population in the lower house but limit her in the senate. This was the plan provided for in the proposed new constitution which was submitted to, and defeated by, the voters of Illinois in 1922. A plan to amend the reapportionment provision of the constitution, which would have limited Chicago in the upper house, was also considered in the session of the legislature which has just closed. There is a feeling on the part of some that such a compromise is the ultimate solution of the problem. The downstate members are now in control of both houses and by refusing to reapportion the state they can continue in control. They desire to see permanent legal limitations upon Chicago's representation. This could be done only by constitutional amendment which would require a two-thirds vote of the legislature before it could be submitted to the people. Cook county holds a veto over any plan which is unacceptable since it has slightly over one-third of the voting power in the legislature. Furthermore, the people of Cook county could probably poll enough votes to defeat any proposed constitutional amendment they did not want, so that the downstate cannot force a permanent constitutional limitation upon them. If a compromise is reached, in order to avoid another deadlock such as Illinois has experienced, it would be well to provide, as was proposed in the defeated constitution of 1922, that if the general assembly fails to make an apportionment it shall be the duty of the secretary of state, the attorney general and the auditor of public accounts to make the apportionment within ninety days after the adjournment of the regular session of the year designated for that purpose.

Something needs to be done in Illinois to remove the strained relations existing between Chicago and the downstate and some guarantee should be provided to prevent a recurrence of the situation which now exists.[1]

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[1] A situation similar to that in Illinois is found in Michigan where Detroit has considered separation because of the treatment received from the legislature of that state on the question of reapportionment of legislative districts. In connection with this problem the Detroit Bureau of Governmental Research published in May, 1925, a memorandum prepared by Professor Thomas H. Reed of the University of Michigan on "Methods of State Separation."

REGISTRATION FOR VOTING IN MILWAUKEE

BY JOSEPH P. HARRIS
University of Wisconsin

Milwaukee's system of permanent registration for voting gets a high percentage of the voters, is not expensive, and practically prevents fraudulent voting. :: :: :: :: :: :: :: ::

MILWAUKEE has a system of permanent registration for voting, conducted at the central office throughout the entire year. It is effective in preventing fraudulent voting, affords a maximum of convenience to the voter in keeping registered, and is conducted at an almost nominal cost. The result of the system is that fraud in elections in Milwaukee is now almost unknown, a high percentage of the potential voters are on the registration records, and the taxpayer is not burdened with an expensive system.

ADMINISTRATION OF THE SYSTEM

The present system of registration in Milwaukee was installed in 1912. At the head of the system is the board of election commissioners, consisting of three members appointed by the mayor for a term of three years, with overlapping terms. The state law provides that three, instead of two as is usually the case, political parties shall be represented on the board. This provides representation for the Socialist Party, as well as for the Democratic and Republican parties. One of the most significant features of the administration of elections in Milwaukee is the tri-party representation, which has a very salutary effect.

The responsibility for the appointment of competent election commissioners rests squarely upon the mayor, though he may not appoint a representative of any party on the board until the party affiliation has been certified by the chairman of the city central committee of the party. In practice, the party leaders submit names or nominations to the mayor, but the mayor may refuse to appoint from any specific list and demand more names, which has been done. Two of the members of the present board have served since 1916, and the third member since 1919. A custom has grown up to reappoint the incumbent in office, if he seeks reappointment. Only one incumbent in the history of the board has been denied reappointment.

The permanent office force in charge of registration and elections consists of a secretary and an assistant secretary. The whole of election matters for 177,000 voters is handled by only two men, with an additional clerical force prior to elections. The secretary and his assistant are both under the city civil service system, and are not subject to political dictation and removal. They take no part in politics, even refusing to sign nominating petitions, or to align themselves with any political party or faction. The secretary has been in charge of election affairs in Milwaukee since 1894, having been first assistant city clerk prior to the creation of the present election board.

METHOD OF REGISTRATION

All registrations in Milwaukee, with a few minor exceptions, are conducted in the central election office in the city hall. The election board has the power to set up branch offices in various parts of the city, but this has not been done, except when new additions have been taken into the city and the voters registered for the first time. When a voter is once registered, he is registered for life, or for as long as he continues to reside in the city, and is not required to make a second trip to the election office. If he moves from one part of the city to another, or changes his address, he is required to transfer his registration, but he may do this simply by sending in a transfer request to the election office by mail or otherwise, giving his old and new addresses, and signing his name. The election office compares the signature with that on file, and unless some doubt is raised about the identity, transfers his registration to his new address without further ado. Prior to the closing of registration the newspapers of the city run blank transfer forms, and the election office distributes through the political workers and others regular blank transfer request cards, but the voter is not required to use these forms. He may write a letter or a postal and effect a transfer of registration.

The voter of Milwaukee may register any day in the year that the election office is open. He may even register after the closing date for a particular election, though registration at such a time does not take effect until the following election. Voters in Milwaukee, however, are like voters everywhere, and do not attend to registration until an election is almost at hand. The bulk of registration comes within the last two weeks prior to the closing date for a given primary or election. Practically no voter ever comes to the office to register or to transfer registration, except during a campaign.

The election office is open for registration until the last Friday night before an election or primary. This does not leave sufficient time for the office force to get the records in shape and ready for the election and results in a great rush in the office. During the last two weeks of registration the office remains open until nine o'clock in the evening to accommodate voters who cannot come to the office during the day. In the final rush registration is moved down from the election office on the second floor to the large corridor on the first floor of the city hall.

REGISTRATION RECORD

The registration record of Milwaukee is very simple. It consists of an individual card for each voter, four by six inches in size. The information required for registration is comparatively meager. The voter is not asked to state his age, occupation, weight, color of hair, employer, etc., ad infinitum. The signature is relied upon as the means of indentification on the day of election, and the questions on the registration card cover only the essential qualifications for voting. Most of these questions may be answered simply by "Yes" or "No." The only difference between the cards for men and women is the color.

The registration cards are filed in precinct boxes, arranged in order by streets and house numbers. There is only one file of registered voters maintained, and this file is sent to the precincts on the day of election, without being locked, bound, or in any other way protected against tampering. The cards are loose in the box and may be taken out by the election officers on the day of election to be scrutinized. It is a significant commentary on the purity of elections in Milwaukee that these registration records have never been tampered with in the history of the office.

CHECKING UP REGISTERED VOTERS

A house to house canvass of all registered voters is made by the police force of the city prior to every important election, in order to check upon the residence. This is not prescribed by law, and it is discretionary with the election commissioners whether a canvass shall be conducted prior to a particular election. In practice, no canvass is made prior to special and minor elections.

The police canvass is made from four to six weeks before the day of election, and a supplementary canvass of voters who have registered or transferred registration after the regular canvass is made on Monday before the day of election. That day patrolmen are assigned to canvass their own beats, irrespective of precinct lines. Many of the patrolmen in Milwaukee are acquainted with a large part of the people living on their beats, and it is generally thought that the police canvass serves to increase this personal contact, which is valuable to the policeman.

The patrolman is responsible for the accuracy of the canvass which he makes. He signs the canvass book, and if he has been negligent or corrupt in making the canvass he is subject to police discipline or removal. No special attempt is made by the police department to educate the police force in the technique of making the canvass, but the instructions on the canvass book cover the necesary information concerning the qualifications for voting, the procedure of registration and transfer of registration, and the form for making the police report. The police department feels that the patrolman needs no special instructions about how to go about checking the residence of the registered voters, since his daily duties bring him into contact with people under somewhat similar circumstances. As one captain of the police force put it: "Checking up the registered voters is just the same as checking up dogs for dog licenses."

The police canvass is very efficiently and thoroughly done. This is to be accounted for largely by reason of the fact that Milwaukee has an efficient police force, which is exceptionally removed from political interference. When the police reports are turned in to the election office, the names of voters who are reported as dead or moved are taken from the live files of registered voters and cancelled. In cases where the policeman reports that a registered voter has moved from one address to another within his beat, the registration is transferred to the new address, but the policemen are cautioned before making the canvass not to report the new address of registered voters unless it is on their own beat, and they can check upon the residence of the voter at the new address.

PRECINCT LISTS OF VOTERS

After the police canvass is completed, precinct poll lists of the voters in each precinct are printed, and twenty-five copies posted by the police department in each precinct. These lists for each precinct are arranged by streets and house numbers, instead of alphabetically. They are posted in the precincts about a week before the close of registration, and a voter may inspect the list to ascertain whether he is registered, or the list may remind him that he has failed to transfer his registration. If he is not properly registered, he still has time to attend to it. People are curious about their neighbors, and scrutinize the list to satisfy this curiosity. This serves to deter fraudulent registration. There is always the danger that a neighbor may report a suspicious case to the election office. Actually, the number of reports of this kind to the election office is very small, but it is generally thought in Milwaukee that the posting of the list is a salutary precaution against fraudulent registration. It is also quite probable that the posting of registration lists of voters has some effect in encouraging registration. Additional copies of the precinct poll lists are kept in the election office, and are supplied free to political workers and others, and used at the polls on the day of election.

When a voter applies to vote at the polling place on the day of election, two of the judges look up his name on the printed precinct list, and if his name is found, he is given a certificate, initialed by the judges. The certificates are simply slips of paper with a space for the initials of the judges, and bearing a serial number, beginning with 1 for each precinct. The number on the certificate is recorded by the judges opposite the voter's name on the printed poll list, and at the close of election the two printed poll lists serve as the poll lists for the election. If any question arises concerning the qualification of the voter, the election officers use the original registration record, and may require the voter to identify himself by a comparison of the signature with that on the registration card. Before the time when the signature was used in this way to identify voters, impersonation was very common in Milwaukee, but in recent years has practically disappeared.

HANDLING UNREGISTERED VOTERS

The weakest feature of the Milwaukee registration system is the provision for "swearing in" the votes of unregistered electors on the day of election. Under an early decision of the supreme court of the state, the voter has the right to prove his qualifications to vote on the day of election.[1] Accordingly, the registration law provides that an unregistered elector may "swear in" his vote by making an affidavit and taking oath before a notary, substantiated by the affidavit of two freeholders of the precinct. This provision is not used to any large extent in Milwaukee, for the procedure is difficult, but in hotly contested elections as many as fifty or sixty voters may be "sworn in" in a single precinct. In a hotly contested aldermanic race in the last municipal election, 329 voters were "sworn in" in one ward, which had only 4,796 registered voters. Both sides combed the ward on the day of election for possible voters, brought them to the polls, and provided the necessary freeholders. This, however, was a highly exceptional case. The number of voters "sworn in" to the precinct will average less than one for the entire city. Many precincts in every election do not have a single voter "sworn in."

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[1] State *v.* Baker, 38 Wis. 71 (1875); Dells *v.* Kennedy, 49 Wis. 555 (1880).

The provision for "swearing in" the voter on election day is dangerous, for it breaks down at the point where protection against fraud is most needed. It is generally believed in Milwaukee that most of the voters who are "sworn in" on the day of election are qualified to vote, but undoubtedly there are questionable cases.

COST OF REGISTRATION

The cost of conducting registration in Milwaukee prior to a primary and the following election is estimated in the accompanying table, taken from the records of the election office. It is not uncommon for the cost of registration in many cities to run from fifty cents to a dollar annually per registered voter, while the cost in Milwaukee is only 12.51 cents per registered voter annually. The largest cost in registration is the personnel charge, which is greatly reduced in Milwaukee by doing away with precinct registration. The permanence of registration is another important factor making for economy, since the city is not put to the expense of re-registering the voters years after year. The cost of supplies is greatly reduced by the practice of the election board of printing its own supplies. The office owns its own printing equipment and plates, and prints all of its supplies, with the exception of the precinct poll lists, which are too large for their machine. Registration cards which formerly cost from $3 to $4 per thousand are now costing $1.46.

ESTIMATED COST OF CONDUCTING A TYPICAL REGISTRATION PRIOR TO THE PRIMARY AND FOLLOWING ELECTION IN MILWAUKEE *

Salaries of permanent employees (50% charged to registration) . .	$1,780.00
Salaries of election commissioners (50% charged to registration) . .	1,260.00
Salaries of extra clerical help (90% charged to registration) (payroll of 1922 fall election taken as typical)	4,609.27
Printing of precinct poll lists by contract (Spring Election, 1924)	6,254.87
Police canvass books—325@17½¢ each	56.87
Pasting lists of registered voters in police canvass books (By contract in 1924 at 44¢ each for 308 precincts)	135.52
Cards of all kinds used in registration (estimated)—48,000 @ $1.46 M	70.08
Blanks and stationery (10% charged to registration)	101.33
Publications (10% charged to registration)	116.66
	$14,384.60
Cost per voter for the entire electorate (177,091 voters registered in 1924)	8.1¢
Annual cost per registered voter . . .	12.1¢

PERCENTAGE OF REGISTERED VOTERS

Political leaders from all parties in Milwaukee are agreed that registration

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* Milwaukee has three elections every two years. The following estimate does not take into account the following items, which are indeterminate: office rental, charges for equipment, electric light, and a few other negligible items. The police force receives no additional compensation for making the police canvass.

is effective in preventing fraudulent voting. The statistics on the percentage of registered voters bear out the testimony, showing a much lower percentage of potential voters registered in the sections of the city formerly dominated by political machines. The transient section of the city, the slums, the cheap boarding houses, the Negro district, and the sections with the poorer foreign element have a low percentage of potential voters registered, while the percentage in the middle class and select residential sections is uniformly considerably higher.

The percentage of potential voters registered in the city of Milwaukee is comparatively high. A historical statistical study of this phase of registration is presented in the accompanying table, though no account is taken of the citizens of voting age who have not

REGISTRATION IN MILWAUKEE BY WARDS, 1920

Computed from the Election Manual of the City of Milwaukee, 1921, pp. VIII–IX, and the United States Census Reports

Group 1, consisting of wards located in the downtown, boarding house, slum, poorer foreign, and Negro districts

Ward No.	Potential Voters	Registered Voters	Per Cent of Potential Voters Registered
3	9,621	5,557	57
2	8,892	5,358	60
4	10,509	6,263	60
6	9,087	5,649	62
10	6,462	4,065	63
5	8,240	5,259	64
7	10,940	7,146	65
9	8,551	5,554	65
Group 2. Middle class residential			
13	9,830	6,821	69
25	11,126	7,629	69
14	5,345	3,843	72
8	8,125	5,857	72
20	13,368	10,342	73
21	10,484	7,525	73
22	14,365	10,483	73
12	7,333	5,461	74
16	7,053	5,294	75
24	6,625	4,936	75
17	9,129	6,935	76
23	11,959	9,334	78
11	7,595	5,960	79
Group 3. Aristocratic residential			
19	11,016	7,705	70
15	8,767	6,530	75
1	10,512	7,974	76
18	10,992	9,118	83
Totals	**236,063**	**166,608**	**70.4**

resided in the state sufficiently long to qualify to vote.

Prior to the beginning of the present system of registration in 1912 the percentage of potential voters registered ran very high, even going to 112 per cent in 1900, but this may be accounted for largely by the practice of the precinct registration boards to carry on the registers the names of persons who had died or moved out of the precinct, and gross irregularities and fraud were more or less present. Precinct registration boards prior to 1912 commonly accepted long lists of voters handed in by political workers, and put these names on the registers without question or scrutiny.

Registration and Voting in Milwaukee Since 1900*

Computed from the Election Manuals of Milwaukee and the United States Census Reports

Year	Potential Voters†	Registered Voters	Per Cent of Potential Voters Registered	Votes Cast	Per Cent of Registered Voters Voting	Per Cent of Potential Voters Voting
1900	71,153	79,601	112	58,173	73	82
1902	75,512	59,748	79	54,505	91	72
1904	79,871	67,261	84	63,869	95	80
1906	84,430	76,650	91	58,799	77	69
1908	88,802	83,189	94	63,153	76	71
1910	92,948	70,551	76	53,491	76	57
1912	97,324	90,200	93	65,231	72	66
1914	101,701	75,325	74	55,708	67	55
1916	106,078	80,884	76	69,069	85	65
1918	110,455	84,813	77	63,682	75	55
1920	236,063	116,608	70	123,905	74	57
1922	244,817	153,804	63	90,861	59	37
1924	253,517	177,091	70	131,066	74	52

*All statistics are taken from the regular fall elections.

† Estimated for years other than census years.

In 1912 when the present system was started, registration cards were left at every house in the city by the police force, for the voter to fill in. The newspapers gave a great deal of publicity to the new registration, and the result was that 93 per cent of the potential voters at that time registered. Two years later the registration dropped to 74 per cent, and remained near that percentage until 1920, when women were enfranchised. The percentage of potential voters who actually cast their ballot in Milwaukee is comparatively low, probably owing to the absence of strong political organizations in the city. A large registration does not insure a large vote, though it facilitates it.

SUMMARY

The system of registering voters used in Milwaukee is eminently successful. The most notable features of the system are:

1. The permanence of registration.
2. The provision for the transfer of registration from one precinct to another within the city upon the signed request of the voter, sent through the mails or otherwise.
3. The police canvass of registration before all important elections.
4. The use of individual cards for registration records instead of the old style of bound volumes.
5. Registration at the central office only, and throughout the entire year.

ILLINOIS MOVES TOWARDS A MODERN TAX SYSTEM

BY EDWARD M. MARTIN

Secretary, Public Affairs Committee of the Union League Club, Chicago

Illinois is on the way to getting a revision of its constitutional provisions relating to taxation—a thing it has long needed. :: ::

ONE of the outstanding achievements of the Illinois general assembly, which ended June 30, 1925, was the adoption of a joint resolution submitting to the voters of the state a proposed amendment to the revenue article of the state constitution. The proposed amendment passed the legislature practically without a dissenting vote. It will be voted upon at the next general election of members of the general assembly. This election occurs November 3, 1926.

If the amendment is adopted, obstacles in the way of fairer tax laws and the adoption of a more satisfactory tax system for Illinois will have been removed. The proposed amendment grants to the legislature general powers with respect to revenue. It permits the adoption of various methods of taxation or combinations of methods. Such powers must be given the legislature if the tax conditions of the state are to be improved.

The powers conferred by the proposed amendment are safeguarded by the requirement of a two-thirds vote of the members elected to each house. This provision protects groups or sections of the state against discrimination in tax legislation. The bill originally carried a provision for a three-fifths vote, but this was changed to read two-thirds at the instance of the Chicago and Cook county members. In this way, any attempt to impose taxes considered unfair to Chicago by a downstate controlled legislature could be blocked.

Other limitations provided for in the proposed amendment are: uniformity of taxation within each class of property created; territorial uniformity of taxation; a single assessment machinery for taxation imposed on property by valuation.

The text of the proposed amendment follows:

Resolved by the senate of the state of Illinois, the house of representatives concurring therein: That there shall be submitted to the electors of this state for adoption or rejection at the next general election of members of the general assembly of the state of Illinois, in the manner provided by law, a proposition to amend Article IX of the Constitution by adding thereto an additional section to be known as section 14 of Article IX, as follows:

ARTICLE IX

Section 14. From and after the date when this section shall be in force, the general assembly shall have authority to provide by general law for the levy and collection of taxes for public purposes upon persons, property and income, free from the limitations contained in section one (1), three (3), nine (9) and ten (10) of this article. Taxes levied under the authority of this section shall be uniform upon all persons, property and income of the same class. All real estate shall be in one class, except that mineral land and land devoted to reforestation may be in different classes. Exemptions from taxation may be established only by general law. This section shall not affect existing exemptions established by law under the authority of section 3 of this article. Taxes by valuation under the authority of this section shall be based upon a value to be ascertained by some person or persons to be elected or appointed in such a manner as the general assembly shall direct, and not otherwise. No act for the imposition, increase, continuance or revival of a tax under the authority of this section, or for the establishment of exemptions under the authority of this section, shall become a law without the concurrence of two-thirds of the members elected to each house.

Section 1 of the present constitution, adopted in 1870, provides that taxation shall be in proportion to the value of property as assessed and gives the general assembly power to impose various types of business license taxes. Section 9 provides that the general assembly may confer upon municipal corporations the power to make local improvements by special assessment, and to vest such corporations with power to levy taxes for all other corporate purposes, but stipulates that such taxes shall be uniform as to persons and property. Under section 10 the general assembly may not impose taxes on municipal corporations for corporate purposes, but shall require that all taxable property shall be taxed uniformly as to persons and property. It provides further that private property shall not be liable for the debts of a municipal corporation. Section 3 enumerates all exemptions from taxation that are now permitted.

The proposed amendment grants power to levy and collect taxes free from the "limitations" enumerated above. It will be noted that several of these provisions pertain to matters not directly related to uniformity of taxation. Despite the rather peremptory language of the proposed amendment, the courts would in all probability construe the proposed amendment to apply only to the limitations as to uniformity in the present constitution. Such an interpretation by the courts would relieve the proposed amendment of the objection now made that it would invest the general assembly with power to subject private property to the debts of a municipal corporation.

Illinois' existing tax laws were enacted under provisions of the constitution of 1870. In that year practically all property in the state was tangible and could be assessed in the same manner. Illinois has clung tenaciously to the uniform method of valuation and taxation established at that time. It has been one of the few states to hold to the uniform tax on real and personal property.

A proposed amendment, defeated in 1916, would have authorized classification of personal property for purposes of taxation. The proposed constitution, defeated in 1922, authorized an income tax under numerous restrictions. Under the amendment now proposed, broad powers are conferred as to both these matters.

PRESENT CONDITIONS

Under present conditions it is impossible to value all property uniformly for taxation. It is now estimated that one-half of the state's wealth is intangible in character. It is further estimated that about 80 per cent of the tax burden falls upon real estate. The tax on intangibles has approached confiscation of income. The result is that intangible wealth has been invested in tax-exempt securities or has been largely driven from the tax books. An example of how the administration of the personal property tax has fallen down in the state is to be found in Cook county. Of approximately 600,000 personal property schedules distributed in Cook county, an unbelievably small percentage find their way to the tax books, and a still smaller percentage of those making returns finally pay a personal property tax.

ORIGIN OF PROPOSED AMENDMENT

The proposed amendment was initiated by a group of organizations state-wide in character, and of diverse economic interests. Represented in the group were bankers, real estate dealers, farmers, organized labor and teachers, and various commercial and civic organizations. Under the chairmanship of Walter F. Dodd of Chicago agreement was obtained on a program which was embodied in the text of a resolution submitted to the legislature.

The resolution was introduced in the senate by Senator Simon E. Lantz. The senate added two amendments to the original draft—the requirement of a two-thirds instead of a three-fifths vote, and the restriction that all real estate, excepting mineral lands and lands devoted to reforestation, shall be in one class. This change was made to prevent excessively high rates on apartment buildings in comparison with individual homes, an apprehension entertained by certain real estate groups. A house amendment inserted the word "increase" in the last sentence of the proposed amendment.

Two incidents marked the legislature's consideration of the resolution. Both the senate and the house interrupted regular sessions to resolve themselves into committees of the whole to consider the resolution. This practice is unusual in Illinois legislative procedure. At each meeting Oscar E. Carlstrom, attorney-general of the state, and Walter F. Dodd spoke in behalf of the resolution. The attorney-general is a former member of the state taxation commission, having resigned from that body to assume his present office in January, 1925. Much of the success in securing the adoption of the proposed amendment is credited to the campaign carried on under Mr. Dodd's guidance.

PROPOSED CAMPAIGN FOR ADOPTION

The organizations which initiated the measure have formed a committee to coöperate with a joint legislative committee for the purpose of carrying on an educational campaign among the voters of the state. The proposed amendment must receive a majority of *all* the votes cast at the general election of 1926. While little opposition is anticipated to the proposed amendment, since it is an enabling act only, no time is being lost to create sentiment in its favor, widespread enough to overcome the inertia of the average voter.

Two types of propaganda are planned. The first will be carried on by the citizens' committee to acquaint members of the constituent organizations with the merits of the proposed amendment and the urgent need for its adoption. The second educational effort will be carried out by the state. Under the law governing the submission of constitutional amendments, the text of the proposed amendment must be printed once a week for three weeks prior to the election in six daily papers in Cook county, and in two papers in each of the other 101 counties in the state. A pamphlet containing the proposed amendment, with an explanation from the general assembly, must be distributed to every voter in the state. The pamphlets are distributed by election boards and county clerks.

THE REFINEMENT OF OUTDOOR ADVERTISING

BY I. W. DIGGES

Secretary, General Outdoor Advertising Co.

An illuminating discussion of outdoor advertising from the point of view of the advertising concern. :: :: :: :: :: ::

MODERN advertising was recently described by Herbert Hoover as the "hand-maiden of mass production. The notion that advertising in its broad sense is an economic waste has long been abandoned." Adverting to outdoor advertising Mr. Hoover added that he was "glad to see that they are taking into account the fact that good taste in advertising display must grow apace with the improving taste of the community."

The growth of outdoor advertising has paralleled our economic development and general acceptance of the theory of mass production. Thus in 1900 a few buyers spent two million dollars in outdoor advertising; in 1924 a considerable number spent fifty million dollars; and in 1925 even more buyers will use approximately sixty million in outdoor advertising space.

This new and powerful factor in our commercial life has brought its problems as have all other business developments.

The business is now going through a period of comprehensive readjustment looking to a qualitative analysis of existing locations and a scientific relocation of such structures as do not meet with new standards. Responsible outdoor advertisers agree with Mr. Hoover when he states that "the growing complexity of our modern life requires that if self-government is to be a success there must be self-government among groups." Self-regulation is the keynote of the program for the constructive betterment of the medium.

Advanced thought in the industry has for years advocated a rigid self-regulation; however, it has had to pass through its "bonanza" stage of development. Demand for the medium has seen it expand thirty times in twenty-five years. This demand of necessity incurred some abuses, and by the same token engendered fierce competition, particularly in the matter of competition for leaseholds, from which no one gained save the landlord. Recent trade developments, however, have eliminated many abuses, and new standards, in so far as applicable to organized outdoor advertising, can be put into practice on a national scale.

I. TYPES OF OUTDOOR ADVERTISING

There are myriad types of outdoor advertising, of varied appeal and function, and in this field of work, as with the *visible* instruments of distribution, jobbers and retailers, railroads and trucks, there are many merchandising problems. Symbolically, outdoor advertising has its small retailers, chain stores, brokers, "fly-by-nighters," small manufacturers and mass producers, and just as in other industries the responsible unit pays the cost of the irresponsible operator. *For example, over ninety per cent of organized outdoor advertising is located in urban districts, and over ninety-nine per cent of the criticism of the medium is directed towards rural display!*

Outdoor advertising falls into the following classes:

1. Organized advertising.
2. Unorganized advertising.
3. Direct advertising by manufacturers.
    - (a) National.
    - (b) Through local or state units.

Organized outdoor advertising is that effort which seeks to make available to all or any of the markets of America an efficient, economical and scientific instrument of distribution, through the use of pictorial or other display on structures of standard size and design so located as to reach the circulation of a particular market, or many markets. The business is said to be organized because trade associations have been formed which have written into their fundamental policy, standards of practice, structure, display and location.

Organized poster advertising is easily distinguished by two facts. The moulding of the structure, or the frame to the advertisement, is always painted green. Just above the structure appears in small lettering the name of the operator.

The organized paint medium is not at present so easily distinguished. Under new standards, however, the distinction will soon become apparent.

Specifically, the business of organized outdoor advertising consists of the publication of advertisers' copy upon structures termed in the industry "poster panels," "painted bulletins" and "electrical bulletins" designed and located to communicate advertisers' messages to the circulation represented by the number of persons passing upon transportation lines and thoroughfares in cities, towns and elsewhere.

The business is divided into two general branches—poster advertising and painted display advertising—the latter branch including the operation of electrical spectacular equipment. The two branches are quite distinct, one from the other, in respect both of plant operation and of the unit or "package" which is sold to the advertiser.

In poster advertising, the "plant," or in other words, the total number of poster panels in a given community owned and operated by the local plant owner, is divided into what are termed "showings," each showing consisting of a certain number of panels distributed along the greater and lesser thoroughfares of a city or town in a manner designed to reach the entire circulation of the particular community. At points at which thoroughfares are largely used in the evenings the panels are illuminated. The plant owner allocates to a particular contract any one of the showings of which his total plant consists which may be open at the time of beginning of service as called for by the advertiser's contract. Thus, the advertiser is not apprised, in advance, of the particular locations upon which his "copy" will be displayed, but because of the fact that each poster showing is made up of panels distributed throughout the community in such a manner as to reach the entire circulation thereof, the advertiser is assured of covering the territory through which he desires his message communicated. In poster advertising, the advertiser's copy is displayed upon lithographed posters of standard dimensions, upon structures of standard type and design.

In painted and electrical display advertising, the plant owner sells and the advertiser buys specific and selected locations. The advertiser's message is painted upon the bulletins or expressed by arrangement of electric lights.

Structures of the organized industry are always erected and maintained upon space owned or leased for that purpose.

It will thus appear that the natural tendency in poster advertising is to concentrate at the purchasing point, and at this writing over ninety-five per cent of the poster panels of the organized industry are located within urban districts. In respect of the combined paint and poster bulletins of organized outdoor advertising, over ninety per cent is within populated areas.

The distinction between organized outdoor advertising and the operation of "unorganized" companies is not always easy for the layman to follow. It is only through an analysis of method that it becomes clear. The distinction is one between group standards and unit standards. The organized medium has associational rules and policies; others in the field have their own company standards. Some are good; some are not.

II. Standards of Organized Advertising

The new standards of the organized medium, in so far as they affect the public interest, are listed below:

(1) Structures shall not be located in purely residential districts; in the vicinity of public parks or buildings where the surrounding neighborhood is residential; in locations that interfere with the view of natural beauty spots; on trees, rocks, fences, posts, or other natural objects, or in any manner except on structures of standard size.

(2) Structures shall not be erected except on property owned or leased for that purpose, and in no instance within the confines of the public highway.

(3) Poster advertising structures shall not be placed beyond the corporate limits or populated area adjacent to cities and towns for which association membership is maintained.

(4) Advertising copy will not be accepted which (a) is directly or indirectly critical of the laws of the United States, or induces a violation of those laws; (b) is offensive to the moral or ethical standards of the community at the time the copy is offered for display; (c) induces the purchase of medical compounds, either proprietary or otherwise, which are alleged to contain properties denied at the time of offer by the organized medical profession, such as cures for cancer, diabetes, tuberculosis, etc.; (d) induces the purchase of proprietary or other medicaments alleged to be curative of sexual maladies.

The enforcement of these standards will be burdensome on the industry; the result will have caused the outlay of many millions of dollars. For that reason, methods of financial adjustment had to be devised, and a five-year program mapped out. At the end of that period all those engaged in the business of organized outdoor advertising will have conformed to these standards. It is even conceivable that with active public support and coöperation—not financial but moral—the period can be sensibly reduced.

One might illustrate what is meant by coöperation. Recently our attention was drawn to the existence of twelve poster panels located in the suburban district of a New England community. The city was bustling with commerce; advertisers wished to reach that market through outdoor display. Local regulations, of one kind and another, however, kept the medium outside the corporate limits. Apparently it was not known that the structures, with the exception of the moulding and braces, were made of high-grade steel. These facts were explained to interested persons, and, being men of business, they aided us to find a solution. Through coöperation, reasonable regulations were substituted for unreasonable ones, and suburban boards were relocated in the commercial zone—at the point of purchase. It is hardly necessary to add that the petitioners did not know of the local regulations; they were buried deep in the files of a building commission.

Many similar instances could be cited, and many similar remedies found. In New York state there is another. In the city where this article is being written, helpful coöperation has avoided even the semblance of cause for complaint.

It will also appear that the procedure suggested does not disrupt the scientifically formulated plans of the industry—plans which seek circulation and distribution. Broader and more satisfactory results are accomplished. Complaints are investigated with thoroughness and fairness, not only by the plant owner immediately involved but by representatives of his association, whose duty it is to enforce obedience to established standards and practices. The method has the virtue of being direct and simple. The record shows that it is fruitful.

III. UNORGANIZED ADVERTISING

It is with a degree of hesitancy that the third division of this paper, which has to do with unorganized advertising, is framed. The writer's profession is linked with outdoor advertising; so is that of others of whom he will speak. Who shall judge whether we are interested in the general betterment of conditions, or simply wish the elimination of irksome competition? This states the general problem of organized outdoor advertising. The industry cannot become the censor of its competitor. It can merely go its way quietly and alleviate by the methods open to it.

One such method is to lease stretches of territory that have been abused—*not* always to advertise on them but to be assured that others do not. Long stretches of roadway, scenic spots, residential locations and other places are leased by the industry to protect itself. This is a burden, and a serious one; there is, however, no complaint because it is an operating necessity.

Several years ago, in the city of Philadelphia, the local plant owner had under lease as many urban sites as he could obtain. He used probably half of them, but wishing to assure a future for his business and his investment, he kept other operators away who had lower standards.

Another method often employed by the organized industry is to sponsor state laws, county regulations and city ordinances which better the conditions of the highways and make for cleaner cities. A legal department is maintained for the purpose of studying and framing laws.

More than this, the industry cannot do. It has knowledge, but no mouth with which to speak. That knowledge can be furnished to others, but it will consist only of statements of fact and the story which the photograph tells.

The public—organized public opinion—can do much more. It can attack the root of the evil by going to trade associations of manufacturers who permit tack signs, pasteboard cards and small structures to be placed within the public right-of-way or on fences, posts and trees on private property without permission of the owner, and it can educate these associations to higher standards.

This is the first effort. The second will be similar to the method employed in organized outdoor advertising; the individual manufacturer can then be induced to conform to the standards of the group.

The third method is to move through local societies or organizations. In many instances a mere insistence on enforcement of the law will bring results. Wisconsin and North Carolina have good laws, but they are not well enforced; New York and Maine have the same or similar laws and they are better enforced.

In other instances a more vigorous policy must be pursued, and this will be dictated by the peculiar needs of a particular situation.

The path towards refinement is a difficult one to mount. In this brief article some of the difficulties have been touched on, some remedies have been suggested. Its purpose was to define what should be refined and to state certain fundamental facts. The outdoor medium will always exist, because it is the most economical instrument of distribution known, for many classes of products. Let us then make it more artistic, more scientific and more acceptable, and entirely in keeping with community development in America.

KANSAS CITY TRIES TO IMPROVE THE MANAGER PLAN

BY WALTER MATSCHECK
Director, Kansas City Public Service Institute

The Kansas City charter, recently adopted, has some unique features which are set forth in this article. :: :: :: :: ::

The title of this article is not quite accurate as a description of its subject matter. In addition to the "attempts to improve," some other features of the Kansas City charter are discussed.

In a few respects, the charter commission of Kansas City did attempt to improve upon what it considered weak points of the manager plan. Several other points of difference from many manager charters, however, are due to local conditions and, in at least one case, to expediency. To the credit of the commission—a most fair, public-spirited, and broad-minded body—let it be said that in only one important respect did it bow to expediency, and then only because it feared for the success of the charter if it failed to give in in that particular. That the commission was probably mistaken in this view is beside the point.

POSITION OF THE MAYOR

There is a considerable opinion among friends of the manager plan that something must be done to strengthen the position of mayor under the plan, or in some other way to provide a political leader. This position has found expression in the columns of the Review. The Kansas City charter commission agreed with this view and had it constantly in mind. In fact, it was only when he became convinced that the position of the mayor could be made more important that the chairman of the commission became a convert to the manager system. This was, of course, before he was elected, since all candidates for the commission were pledged before their election. Accordingly, the new charter has several provisions designed to strengthen the mayor.

In the first place, he is elected as mayor. The people vote on candidates for mayor separately from candidates for councilmen. This may tend to the election of a ticket headed by a mayor, which may or may not be desirable, depending on the circumstance of each election. It will fix the mayor in the minds of the people as the head or leader of the council, regardless of what his actual power may be.

Next, the salary of the mayor was made larger than is usually the case—$5,000 per year unless changed by the council. Councilmen are to be paid $2,400 per year. Many of the charter friends believe that a salary of $5,000 is too large, fearing that mayors will be elected who are not real leaders, and who will try to earn $5,000 by attempting to assume or interfere with the duties of the manager. They fear, too, that the salary will attract incompetent candidates.

A further power of the mayor is the right to demand reconsideration by the council of any vote on the passage of an ordinance. Upon request by the mayor for the reconsideration of the vote on any ordinance, except ordinances submitted to the council under the initiative and except emergency ordinances, the council must take another vote. The mayor may request such reconsideration in writing within five days after the adoption or rejection of an ordinance. It was believed that this plan, while not requiring a larger vote for repassage of an ordinance such as a veto requires, would give a little delay where ordinances have been hastily passed and would bring ordinances the mayor considers undesirable to the attention of the public. In like manner, ordinances rejected could receive further consideration and publicity. How valuable this will be remains to be seen.

The mayor is also given some appointing power. For example, he will appoint the members of the board of park commissioners (which will be discussed later) and the members of the city plan commission.

Whether these additions to the ordinary powers of the mayor under the manager plan will have the effect desired or will prove detrimental to the success of the new charter is a matter of some dispute. Apparently, the people of Kansas City did not worry about it—probably not being familiar enough with the points involved. But among those in Kansas City who are familiar with the question, there is a difference of opinion, as there is among students of the manager plan and among managers themselves.

THE COUNCIL

For the election of members of the council, a combination of the district plan and the at large plan was adopted. The council will consist of nine members. The mayor is to be a member and president, as in all manager charters. Four of the remainder will be elected at large. For the election of the other four, the city is divided into four districts of approximately equal population and one member is to be elected from each of these districts. While, as stated, four of the members are to be elected at large, there is a requirement that not more than one of these may live in any one district. There are in effect, then, two members from each district, one of whom is nominated and elected at large.

The selection of this plan was due to local conditions. It may work. Local sentiment for district representation was strong. The commission believed that with a majority elected at large, and with districts of large size, the evils of the ward plan would be overcome.

The method of election is the ordinary non-partisan election, with nominations by petition and elimination by primary. While the commission itself probably would have favored proportional representation, it was believed that it would be impossible for proportional representation to stand the test of the courts in Missouri.

One aid to the council which is not ordinarily found in manager charters is the provision for an auditor appointed by the council. The auditor is not to be a financial auditor only. He is to be the council's independent source of information and check on the administrative work. To quote the charter, "his duties shall be to keep the council informed as to the work performed, methods and financial affairs of the city." He may investigate any department or any subject on which the council may desire information or on his own initiative.

PERSONNEL

The charter commission adopted the term "personnel" instead of "civil service." The personnel provisions brought more objections from out of town than any others in the charter. The National Civil Service Reform League was quite insistent that the provision requiring certification of the entire eligible list would be disastrous. Instead of a civil service commission appointed by the council, there will be a personnel director appointed by the manager at the head of the personnel department. In other words, the personnel department will be a regular administrative department.

The next important difference in the personnel provisions is that instead of certifying the highest name on the eligible list, or the three highest, the personnel director must certify to the appointing officer the entire list of eligibles for any position, and the appointing officer may appoint anyone from the list. It is this provision that raised most objection from out of town. In Kansas City it caused little comment.

The appointing officer may discharge any employee. The only recourse the employee has will be an appeal to the manager. The manager's decision will be final. There was considerable feeling that this provision made discharge too easy.

It was the intent of the charter commission to make the personnel provisions very liberal. Back of this intent is the long history of abuse of civil service in Kansas City. The provisions in the present charter are not bad, but they are not observed. Civil service is in disrepute here. There was a strong feeling in favor of abolishing civil service entirely in the new charter. Others favored establishing a personnel department similar to employment and personnel departments in private corporations. They believed that even if there were to be none of the standard provisions on appointment and removal, there remained a place for a personnel department for recruiting, testing and recommending, and in the field of standardization and efficiency. Out of this came the provisions finally adopted.

It is within the power of the manager to set forth employment rules for department heads much more restrictive than those provided in the charter. In the charter provisions as written, the manager will find the freedom which most city managers want.

It is interesting to note here that at one time in its deliberations the charter commission tentatively approved a provision for a civil service commission organized along lines similar to those recommended by the Civil Service Committee of the Governmental Research Conference.

ON PARKS

The one case where the charter commission bowed to expediency was in departing from the rule of single heads for departments and providing instead a board to head the park department. It went even further—it made this board appointive by the mayor.

The history of the Kansas City park and boulevard system is back of this decision. Until almost the last moment the commission stood for a director of parks appointed by the manager, but it finally decided for the board plan. It became convinced that the people of Kansas City would not approve any change in the method of operating the park department, and feared that the whole charter might be defeated if the board were not provided. To jeopardize the charter for the sake of one department seemed unwise. In this fear, events since have shown that the commission was probably mistaken. The charter no doubt would have carried with a very substantial majority regardless of what was done with the park department. However, the park board provisions are part of the charter. Many manager charters provide for some independent boards. They probably will not prove a serious handicap.

FINANCIAL PROVISIONS

Kansas City has a history of financial mismanagement and large operating deficits. To prevent this happening in the future, a number of restrictions were put in the charter which will be neither of any particular value nor cause any particular trouble. One provision, however, is interesting and probably will prove very useful. This is the provision that the annual appropriation ordinance shall contain an appropriation amounting to not less than three per cent of the estimated general (operation) fund revenues as a contingent fund. Out of this contingent fund the council may during the year make appropriations for emergencies when the manager approves the requests. The council may not appropriate from this fund an amount in excess of that recommended by the manager.

The requirements for complete and detailed financial reports, monthly and yearly, are also interesting. It would seem impossible with these requirements not to have reports which would give all necessary information and give it in such form as to make it most useful and usable.

These constitute the principal points of general interest in the new Kansas City charter. There are, of course, many minor differences from other manager charters, and also some other major ones which, however, are the result of requirements of state law and which are of no particular general interest.

The new charter takes effect next April. The first council will be elected in November of this year. Meanwhile, everyone confidently expects that after next April good government will come to Kansas City to stay.

REGIONAL PLANNING IN NEW YORK*

BY THOMAS ADAMS

General Director of Plans and Surveys, Regional Plan of New York and Its Environs

Mr. Adams sets forth vividly the tremendous physical problems facing the New York of the future. :: :: :: :: :: ::

MUCH of the stimulus to the regional planning movement has come from Boston. Boston has not approached all its problems in an ideal way, but it has had the right idea as to how they should be approached. It has performed a great work in developing its system of parks and parkways; in considering its drainage and other problems in a comprehensive way throughout the whole metropolitan region instead of with sole regard to the interests of the predominant urban partner, the city of Boston; and it has for many years been doing work which has now been taken up by the state. But, if New York is comparatively late, we are, I think, obtaining much advantage from the mistakes that have been made in some cases, and from the experiences, with regard to the right way in which to do things, in other cases.

IMPORTANCE OF STUDY OF TRENDS AND COMPREHENSIVE PLANNING

We recognize that it is of essential importance that before we make any plan for the future, we should make a thorough study of existing conditions. I do not want to emphasize what is so often unduly emphasized, that nothing can be done unless by the stultifying process of making compromises with existing conditions. But we must also investigate the trends towards the new conditions which are so evident to-day, as well as the conditions that exist as a result of past developments. We must ascertain as far as we can the trends in regard to industrial distribution on the one hand and the trends of transportation in the last ten or fifteen years as a result of the use of mechanically propelled vehicles on the other hand.

We have to understand the importance of doing things for the city as a thing of growth; whose future expansion is in our making. A great deal of work which has been done and is being done in regional planning, is not based on the recognition that cities are growing things. Too many proposals for improvement are limited to palliative measures—to relieve localized congestion or to construct or to regulate separate functions of the city by zoning. Not owing to the fault of the city planners, but to the limitations of funds, or to the inability of the public mind to grasp the comprehensive character of the problems, the problems of the city are invariably dealt with in separate compartments, as if they were not all inter-related and needed to be studied and planned as a whole.

Problems of planning should be dealt with before problems of construction. This is self-evident but it is often disregarded. Remarkable progress has been made, for instance, in the last few years, in regard to the improvement of the surfaces of the roads. A great deal of this work has resulted in the creation of new evils almost as great as those which were there before the roads were improved. We have devoted, not too much attention to the improvement of the surfaces of the roads, but we have not devoted enough attention to the improvement of the alignment, the plan, the grades. the sharp turns, and the danger traps prior to the improvement of the surfaces; and the consequence has been that in many cases money has been spent on developing highway systems, that have increased the death rate from motor accidents as the result of the lack of proper planning. The mistake has been made of improving the surfaces first and then dealing with the planning as an after-thought.

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*This address was delivered by Mr. Adams at the Annual Meeting of the National Municipal League, November, 1924.

There is nothing more important and significant in connection with the city planning movement of the last few years, than the extent to which it has caused people to understand that a broad plan, a true plan, must relate to all the functions or uses of land and buildings in the city. Congestion of traffic or of circulation in any form, should be considered in connection with these functions in all their bearings.

We find in New York that proposals are being put forward almost daily to deal with isolated problems of congestion of traffic in particular places. But the problem of congestion of traffic, say at Times Square, or in the area which lies between the Grand Central station and the Pennsylvania Railroad station, is not a local problem. It is part of a problem of the whole region in which the people of New York live, work, and travel to find means of occupation, to find homes, to find means of recreation. The places mentioned happen to be the particular points where the greatest congestion occurs; but they are related to the whole problem of circulation of a region which lies fifty miles from Manhattan in every direction, in three states.

I have said that the real problem for the planner is one of trends, of tendencies, rather than one of conditions. The present situation, for instance, in regard to the intensity of use of the motor car, has developed mostly since 1915—only a matter of eight or nine years. Mr. Turner, the engineer of the Transit Commission of New York, points out that whereas today we have a commuting population of 550,000 persons, representing 1,100,000 journeys a day, in and out of Manhattan Island, in 1933, only eight years hence, the commuting population will have increased to 1,000,000, representing 2,000,000 journeys a day.

We have almost reached the point of saturation now in street traffic; and the problem is not how to deal with the situation as it exists, with the commuting population of 550,000 in and out of New York; but how to deal with the situation when we will have 1,000,000 people, nearly twice the present number, coming in and out of New York.

Then, let us go a little further forward. We have today a population in the region of 9,000,000 people. Don't let us consider what is going to happen in the year 2000, but let us consider what is going to happen say in 1960, when the children who are now leaving school will be enjoying the privilege of running the country and the city. Then we will have over twice the present population in the region, according to the estimates which are made by those who have made a thorough study of the problem of the growth of New York.

That is to say, the principal question which we have to consider is not how to plan New York for 9,000,000 people, but how to plan it for 20,000,000 people, probably within the lifetime of the majority of those now living.

We have a per capita tax rate of about $65 in New York. We have a pressure in regard to rapid transit, in regard to the use of the streets, which is almost unbearable, despite huge expenditures of large sums of money that have been incurred to make it possible to get about without tremendous loss of time and tremendous waste of nervous energy.

Then there is the question of the growth in number of motor vehicles. I have said that that growth has been largely since the year 1915. Estimates we have made, based on all the circumstances of the growth of the last few years plus the registration of vehicles which is now going on, show that there are about 364,000 motor vehicles in the city of New York, that in 1930 we may expect 855,000; in 1960, 2,100,000. This is in the city. In the region in 1930 we estimate there will be 2,100,000, and in 1960, 5,500,000. Today there is a constantly increasing number of fatalities, due to the increased use of the highways for high speed motor cars. So we have this tremendous growth to face, with its increasing menace to life.

CHARACTER OF NEW YORK AREA AND PROBLEMS

Now, what is the character of the area which we call the New York region, and of the general problems which confront us? We do not regard it as possible to plan a city as a city alone. When Daniel Burnham, the great city planner of Chicago, was in Brooklyn in 1913, he said that the way to plan Brooklyn was to consider the plan of the whole of Long Island; and today we have got to realize that the way to plan New York is to consider the planning of Long Island and the territory that lies within 50 miles of Manhattan Island, in New York State, New Jersey, and Connecticut, as far east as Bridgeport, on Long Island Sound, as far north as Newburgh, on the Hudson; extending well into the mountain region of New Jersey, down the Atlantic Coast, to take in the whole of that territory that is used for recreation and for seaside resorts between the Atlantic Highlands and Sea Girt. We have there an area of over 5,000 square miles, and within that area we have the most complex conditions that you will find in any region in the world. You know something of its topographical conditions —of how Manhattan Island is cut off from Long Island by the East River, and from New Jersey by the North River, how even Westchester County is severed by the Harlem River requiring bridges to secure physical connection. When you consider these physical barriers and realize that the street system and building development of Manhattan Island is already established to such an extent that the future expansion for its activities must be obtained from diffusion rather than from more concentration, then you understand one of our difficulties.

Sometimes it has been said that the reason why Manhattan is tending to "grow up" is because of its physical isolation. But when you come to analyze the problem, surely the reason why Manhattan should not be allowed to grow up is because of this condition. The very fact of the obstruction to its natural expansion in a horizontal direction means that you should limit the bulk and density of the building on the portion which is physically cut off from the remainder of the region which it serves; and the very excuse which has been offered for allowing excessively high buildings in Manhattan, is the reason why they should not be allowed, even though for a time it may have been found economically desirable.

There are some people who say that all transportation and traffic difficulties are due to high buildings. That is only true in a limited degree, if at all, up to the present time. Let us remember that New York City is a city in the making. New York City is expanding upwards and outward in a way that no other city in the world is expanding. Before the day of the skyscraper the tendency of expansion was outward, into the suburbs. London is an example, where there is a certain amount of reconstruction in the center, but where the principal growth consists of suburban development. New York is growing as a mass. Its whole body is moving, and it is moving upwards in the center, and bulging out in every direction, in the circumference. But the question of the high building is only beginning to operate seriously as a problem in creating congestion. I want to justify that statement. Mr. Turner says, in a paper which was read at one of our meetings:

> Excessively high buildings are imposing both traffic and transit burdens on the city that are almost impossible to cope with. This fact must be brought home to the public in some manner, or the necessary relief measures will be beyond accomplishment.
>
> For example, consider the area in Manhattan below Fulton Street. The area of this district is about 245 acres, or a little over one-third of a square mile. But only about 48 per cent of it, or 118 acres, is building area. The remaining 52 per cent consists of streets, parks, and cemeteries. Of the 118 acres of building area, only about 3 per cent of the total, or about 4 acres, is covered with buildings exceeding 24 stories in height, and there are only 10 such buildings, three of which are 38, 39 and 41 stories and the others are between 24 and 32 stories. The average building height over the entire district is only 7.8 stories. Yet this amount of concentration produces the traffic congestion that prevails along lower Broadway and in Nassau, Broad and Wall streets, with which every New Yorker is so familiar.
>
> Again, to serve this district with rapid transit, with only a 7.8 story concentration on the average, 20 rapid transit stations have been provided already. Think of it! 20 stations to serve one-third of a square mile of gross area or one-sixth of a square mile of net building area. The building height restrictions for this area permit a potential development of approximately 2½ times the existing heights. How can 2½ times the existing street space be provided to serve this area? How can 30 more rapid transit stations be added to the 20 already furnished, or 50 supplied altogether? Yet, if every landowner undertakes and is permitted to exercise his existing rights to the full, this is what the problem means. . . . Enough rapid transit lines cannot be supplied to permit every landowner to develop his land to this degree.

Over the whole of Manhattan, the average building is below five stories. The average in Manhattan is about the same as that of the central area in London or Paris. It is when the floor space exceeds that of other cities and the average height exceeds that of other cities, that the real problem of congestion will occur. So we haven't yet faced the problem of congestion which the high building is going to cause, for the reason that every one of the owners of the three and four story buildings has the right to erect a 20 or 30 story building, or as far as the zoning law will permit.

Relief of the situation in regard to rapid transit can be obtained for some time, Mr. Turner suggests, by developing the rapid transit system to an extent which will cost the city of New York about $700,000,000! Mr. Harvey Corbett proposed to provide the relief by double-decking or triple-decking the streets.

We find that at 48th Street and Fifth Avenue, complete saturation will be reached, even if we do all the widening we can, impose all the prohibitions on traffic we can, get rid of the elevated railroads and put in subways—that even then, saturation will be reached for motor cars if they increase at the present ratio, in the year 1933, or eight years ahead.

So we'll soon be made to understand that the real problem of dealing with a city like New York, or any other city, is not a problem of saying that you shall not park your car in front of a certain building; it is not a problem of saying that you will convert a street into a one-way street; it is not a problem of regulating traffic; but it is a problem of planning cities comprehensively over wide areas, comprehensively in regard to their functions, for the purposes for which they exist.

The question of playgrounds links up with the question of traffic on the streets. Today the only safe playground for children is the garden attached to the home, for the mothers will not allow the children to go to the playgrounds even if they are within short walking distance from where they live; for they would rather have the sporting chance of saving their lives in the streets in front of their own homes than let the children get out of their sight. There is sufficient land in this country to serve the needs of its people for recreation and wholesome living conditions. More land is not needed but more attention to city planning that will provide proper distribution of the population.

The planning of parks has to be considered in connection with traffic. We are making a census of the traffic that passes through every entrance and exit of Central Park. Why? Because today it is hardly possible to see a great portion of Central Park for the purpose for which it was designed by Mr. Olmsted, without the danger of losing your life crossing the rapid streams of traffic which pass through it.

CO-OPERATION NEEDED FOR REGIONAL PLANNING

To deal with city planning in the region of New York there is, unfortunately, no administrative or political body that can function. It is hard enough to get collaboration between the city and the state, or between two adjacent states; it is much harder to get collaboration between three separate states, with 400 incorporated and unincorporated communities within them having common economic interests but separate, and, perhaps to some extent, conflicting political interests. I want to say this, however, that none of those who have been associated with the planning of New York have had the slightest cause for dissatisfaction with regard to the willingness of these communities to collaborate. We have had the utmost coöperation from the governing authorities of three states and of all the different communities within the region. There is a gradual awakening to the fact that this problem of the growth of New York is a problem of the whole region, which has helped to bring this spirit of coöperation into being.

One of the difficulties we have in New York is due to the fact that we have two great passenger railroad terminals within a short distance of each other; and no more. If you take the case of London, you have ten or twelve main passenger stations existing in the city, separated by several miles, allowing a diffusion of traffic which greatly facilitates movement in the city. In New York the greatest traffic movement is between two of the railroad stations, the Grand Central and the Pennsylvania. We have no loop such as there is in Chicago; but we have all the difficulties of a loop between 42nd and 34th Streets and 7th Avenue and Lexington.

PORT DEVELOPMENT

Then we have the connection of traffic with port development. Nearly one-half of the freight that comes into New York is in the form of less-than-carload lots; a great proportion of which is loaded not directly at the factory, but carted by road to rail from the factory, and distributed, unfortunately under tremendous difficulties and confusion, at its main destination by road. If places like New Jersey, with the potentialities that exist in its 26 square miles of meadows, will apply business principles and some vision to consider the trends of development in regard to right approaches to harbors, in regard to distribution of freight, they can bring about an important improvement in their conditions, with great advantage to the industries of the eastern states. We are facing an entirely new condition in regard to the transportation of freight and the development of the commercial vehicle; and the highway is really only at the beginning, instead of having reached the point of serving the full needs of the community.

In the New York situation, therefore, we have to contemplate the question of improving the port facilities—not merely of building piers and developing streets along the water front, but of improving the means of access by railroad and by highway to the whole region, from these harbors and piers. This means that it is a question of planning over wide areas. It is in developing the new opportunities, that modern conditions have created, rather than in bolstering up institutions that have become obsolete in the face of scientific growth, that the greatest benefits can be gained for industry and human life from our planning operations.

IMPORTANCE OF INDUSTRY AND TRANSPORTATION

I think we ought to realize, when we are discussing transportation and traffic in relation to a region, that transportation and traffic are not the most fundamental things. A city does not exist in order that we may move from one place to another, or in order that we may move traffic from one place to another. It exists as a center of manufacture and commerce. Under modern conditions manufacture and commerce cannot be carried on without transportation; but they are a cause rather than an effect of transportation; and the things we transport are really more fundamental to our lives than the actual process of transportation.

But when you come to the planning of a city you deal with transportation first in order of study for this reason: that you have to develop a unified system of transportation. Next to topography it is the most powerful factor in conditioning the city. You can be fairly flexible in the placing of your industries, in regard to the control of your marketing facilities, in regard to the zoning of your factories and homes. But with regard to developing your transportation you must have an organized system for the whole region. Therefore, in making a study of a region like New York we have first in order to consider the planning of the transportation system—in the broad sense relating to all means of communication by waterway, railway and highway. This matter is being studied in all its phases by the engineering division of the Regional Plan of New York and Its Environs. The two consultants of that division are Colonel William J. Wilgus, who is consultant in transportation, and Mr. E. P. Goodrich, who is consultant in traffic. Mr. Harold M. Lewis is executive engineer of the office. They are considering the development of improved terminal facilities for the main line railroads, and the rapid transit and other facilities for internal communication within the built-up portion of the region. A plan of outer and inner belt lines, so as to promote diffusion rather than further concentration of the population, will perhaps be one of our proposals.

When we come to consider this question of extension of transportation and transit facilities we naturally are forced to consider how best to serve new areas, for the purpose of creating "satellite cities" in which the population and the industries can move from the center outwards. In that connection we have first to make a study, as we have done under Dr. Robert M. Haig, of the tendency of industry to stay in one place or to move from one place to another.

TROLLEYS AND BUSES

The operation of buses as an auxiliary to rapid transit and an alternative to the trolley is under investigation. My own feeling is that we have been too hasty in condemning the trolley car as being unsuitable for any situation because it is badly adapted for congested areas. One reason why the trolley hasn't been of as much use as it might have been, is because the road system has not been suitable for the trolley as a mode of transportation. One of the greatest municipal engineers in Britain, Mr. John Brodie, of Liverpool, designs new highways to be used for trolley lines, 120 feet wide, in suburban areas at far less cost than subways. On these wide roads with a separate track for trolleys a fairly high speed is possible. I believe the bus has a great future but that the trolley can still perform a service in suburban areas if we provide it with proper rights of way. One of the reasons why the bus line can operate more economically than the trolley is not merely the advantage of elasticity, of mobility, but the fact that as a general rule the buses do not have the expense of maintaining the roadbed; that they get the use of the highways at the expense of the city at large, except to the extent that they make a payment for some form of license or meet their share of taxes.

One of the things which you should guard against is the adoption of the bus as a means of excusing yourself from planning your cities properly. Merely because the bus is more flexible and can be worked in a narrow or crowded street system, may mean that it is being used as an excuse for avoiding the planning and building of new highways of adequate width. The bus has its place in a system of transportation as part of your plan, but under a properly planned street system the trolley will also have an important place. A properly planned city would permit the efficient and economical operation of both in the right place.

ARE CITIES CIVILIZED?

I repeat that what is needed in cities is comprehensive planning with a view to making cities more civilized for industry and homes. If I were to say that what we need is more "scientific" planning, I am aware that this term would condemn it in the minds of many people; and yet that is what I really mean. I mean that we should apply the same kind of foresight to the development of a city that the head of a great industry applies to the development of his business. It means that we should plan the city so as to make it function efficiently as a business organization. That means that we should first make a comprehensive survey, and find out what the city does and is, as well as where it is tending in all phases of its growth.

I read a statement in an English paper some time ago to this effect: that the modern city was a thing to be proud of; that the wonderful things that private enterprise had done in building up cities did not provoke enough admiration. Then recently at a convention of the American Chemical Society, a man who is an industrial leader and who cannot be regarded as a visionary—a man who has made his money out of the chemical industry—said in effect that the homes of to-day were the most civilized that ever existed, but that the cities were the most uncivilized. There is some truth in both these points of view.

In any case we should not regard the city in any respect as if it cannot be improved. We need the stimulus of trying to provide the things that will make community life as civilized as family life. We need to be convinced that it is practical to prevent congestion, disorder and unwholesomeness and yet maintain sufficient concentration for business needs, in the city. If once that conviction comes home, the power to achieve will come with it. It is a tremendous task; to arouse people from their indifference to these problems.

Perhaps you are thinking that it is too late to plan in New York. How can it be with the great growth of population expected in the next twenty or thirty years? Then again you may be thinking how it is possible for any group of men, expert as they may be, the highest products of the School of Landscape Architecture at Harvard reinforced by twenty or thirty years of experience, to visualize the future.

Well, we have two examples of cities that have been planned—Washington and Edinburgh, both planned at the end of the eighteenth century. In both of these cities perhaps the principal defects apparent to-day are the changes that have been made in the original plan. In New York, which was planned in 1811, the commissioners of that day, of course, could not visualize the railroad, much less the motor car, yet they gave the city a street system which was entirely adequate if the scale of the buildings had been adjusted to the scale of the streets that were provided for the purpose of meeting the needs of circulation.

Finally, to reiterate, in planning a city there must not only be regard for the importance of studying the interrelations of all problems of growth, but regard also to scale, and proportion between all physical features, and to the need of providing elasticity in the plan so that it may be easy of adjustment to meet future changes. And as the city grows so the plan must grow. No city plan is ever finished while the city lives.

THE CONDITIONS OF MUNICIPAL EMPLOYMENT IN CHICAGO

BY LEONARD D. WHITE

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In this article Professor White summarizes the results of a careful study of the municipal employment conditions in Chicago. :: ::

UNDER the general directions of the committee on local community research of the University of Chicago and at the initiation of Mayor William E. Dever a study has been under way for about a year of the conditions of employment in the city service of Chicago. The purpose of the study was somewhat different from the ordinary type of efficiency survey, as it was intended to analyze employment conditions from the point of view of the employee, to propose whatever changes seemed necessary to assure him of a "square deal," and to meet all legitimate claims so far as possible. The underlying thought is therefore one which has already become familiar to employment managers and which has been expressed with notable clarity by Sheldon. He writes: "Industry cannot be rendered efficient while the basic fact remains unrecognized that it is primarily human. It is not a mass of machines and technical processes; it is a body of men. It is not a complex of matter, but a complex of humanity."

The study of municipal employment conditions became therefore a study of the human relationships in the city service and the factors and conditions which govern them. The methods of inquiry were dictated by the general purpose in view, and consist primarily in personal interviews with about seven hundred city employees or applicants for a city job. To a slight extent the records of the civil service commission, the pension board, and other city agencies were found of value. Cordial support was given to the study at all points by the employees and by their numerous organizations and unions.

I. ANALYSIS OF EMPLOYMENT CONDITIONS

The two major sections of the final report to the mayor consisted in an analysis of existing causes of dissatisfaction and a series of constructive recommendations. They were preceded however by a more general analysis of employment conditions, a summary of which is contained in the following paragraphs.

The important conditions of employment from the point of view of this study included the scope and variety of employment; the stability of the service, resulting in a very low turnover, slow promotion, fixed personal relationships, and a high degree of organization; a limited range of opportunity; the absence of the incentives of competition and rivalry; the lack of cohesion among groups; and the prevalence of the spoils system.

The city employs about 22,000 men and women, excluding the teaching staff. Turnover is negligible, with the exception of the engineering and nursing services. Stability is an outstanding characteristic. We were informed at the outset that there was no turnover except that occasioned by death or removal, and that nothing would be gained by studying rates of turnover in different offices. As a matter of fact, these figures are nowhere to be found. The rate of promotion is uneven and relatively slow; study of 549 cases indicates that about four years and four months are spent on the average in each grade. There is, however, the widest variation.

Although the city service is very highly organized both in the form of associations and trade unions, there is little cohesion among the different groups. The methods of some of the unions are rough and ready. Referring to one of their leaders, a prominent city official remarked, in a moment of desperation, "His word goes and we know it."

The limited range of opportunity is revealed by a study of salaries paid to employees immediately prior to their retirement or pension. Analysis of 110 cases showed that 87 retired on a salary of $3,000 or less, and that of these 54 retired on a salary of less than $2,000. These salaries were reached after an average of about twenty-three years of service.

An attempt was made to discover the motivation of men and women seeking employment by the city. The results led only to tentative conclusions, but it appeared that the dominant motives were the desire for security, for steady work, for good salary and for good working conditions. A large variety of reasons were given, including among others the influence of friends or relatives in the service, pleasant work, pension, work for the government.

A series of interesting case studies was developed on this point, a few of which are given in the following paragraphs:

Mr. B., a collection agent, 22 years of age, has been a law student and is an aspiring politician, a precinct captain, who wants to get into the city service as an aid to getting a start in law, as well as for the political experience.

Miss F., a young stenographer, 20 years of age, regards security and association with the "better class" as the chief advantages of the civil service. She has a cousin and a number of friends in the service.

Mr. G. is a Lithuanian employed on temporary appointment in the Corporation Counsel's office. He was reported by the investigators as a "keen fellow," a leader of a Lithuanian organization, but not an ordinary politician. He has studied accounting and civics in the Y. M. C. A. school and is especially interested in municipal government. He feels that he could make more money in business, but the security of the civil service and the pension appeal to him.

Mr. P., a license inspector, 62 years of age, with a common school education, had been at work as a doorman in a shoe store. He wants a position where he will not be laid off because he is getting old, where, as he puts it, he can be "at peace."

II. CAUSES OF DISCONTENT IN SERVICE

The analysis of causes of discontent revealed a considerable number of varying importance in different departments or branches of the service. They included: (1) lack of recognition, (2) inadequate discipline, (3) loss of initiative, (4) absence of common social life, (5) maladjustment of salaries, (6) waivers, (7) efficiency records, (8) delay in posting eligible lists, (9) the influence of politics, and (10) special conditions.

The two circumstances which are cited by employees as being most important in depressing morale are political manipulation of the civil service and unsatisfactory handling of the salary and wages problem.

LACK OF RECOGNITION

One of the very widespread complaints made by city officials and employees is lack of recognition. They feel strongly and in some cases resent the failure of the public as well as the failure of their superiors to acknowledge unusual achievements or outstanding capacity or merit. They say, "Whenever we make a mistake, some one jumps on us for it; but whenever we do something well nobody pays any attention to us. We never get any recognition except when we get 'bawled out.' Nobody ever comes around to give us 'a pat on the back.'"

Remarks such as these were made very frequently to the investigators, and there can be no doubt that the sense of lack of appreciation is widespread.

DISCIPLINE

Morale is being undermined in some offices by lack of proper discipline, and throughout the city service the variations in discipline from department to department or from office to office cause a not inconsiderable amount of ill-will. The importance of fair discipline in maintaining an efficient working force is undoubted, and in municipal employment, where there is always a minority more or less extensive who come into the service through political influence, the need for and the difficulty of maintaining discipline are both the greater. The idea of the city hall entertained by the public is very largely affected by the presence or absence of proper discipline.

LOSS OF INITIATIVE

A depressive which grows out of general conditions is the feeling that reward is not related to effort and ability. There are enough cases in which incompetents are retained on the pay roll, reaching the maximum pay by regular increments at exactly the same rate as the most efficient and active employees, to make the point sufficiently clear. There are other cases in which long service brings no chance of promotion, and other cases in which some fortunate individuals climb the ladder to responsible positions at a rate which is almost incomprehensible to their fellow employees. The feeling of discrepancy between effort or ability and reward may be strengthened by a process of self-evaluation which gives results not always in accordance with the facts.

Loss of initiative comes also from a monotony which is characteristic of some types of work. Cases were cited to us in which employees worked at the same job for fifteen years or more with no change in methods and no change in the type of work. In some types of inspection one group is kept at work on office work, another on field inspection. It might be possible to release a new fund of energy by varying the indoor and outdoor work at regular intervals, and certainly such a plan would tend to restore confidence of each group in the other. Some employees, seeking relief from the monotony of a single occupation, take on additional duties in their offices as emergencies or new conditions arise. This goes on well until the jealousy of the head of the office is aroused. The result is, as one broad-minded employee put it, that "the city hall is full of high priced office boys."

The general set up of municipal employment does not in fact develop the initiative of employees. This result is reasonably clear but the tangle of circumstances which brings about the result is not easily unravelled. The necessity for self-protection, the injection of favoritism, the difficulty of securing tangible rewards for creative effort, the failure to earn recognition for meritorious work, lack of interest in the job, personal friction, "getting in a rut," blind alley employment, native inertia, probably all these play a part.

SALARIES AND WAGES

The problem of salaries and wages offers a variety of sources of dissatisfaction. There is some complaint that the general level of salaries is too low, more complaint that inequalities of salary exist between individuals, and also complaint concerning the process by which salaries and wages are fixed. The wages of all union employees are fixed by the council at the level maintained by industry and there seems to be little dissatisfaction in this large section of the city's force on the wages situation. The relationship between the salaries of organized labor and those of the unorganized classes of city employees, however, is a fruitful source of discontent.

No attempt has been made to work out in detail the relation between salary increases and the changing cost of living, but in the case of the unorganized force there can be no doubt that salaries have fallen substantially behind the rising curve of the cost of living.

WAIVERS

A source of bad feeling which would hardly occur to an outsider lies in the widespread practice of "waiving" an opportunity for promotion to a higher rank with higher pay. The conditions which encourage this practice are of much interest because they shed light on the character of the civil servant.

Why should a municipal employee deliberately reject an opportunity for promotion? Several cases must be distinguished to give a complete answer to this question. (1) An employee has long been employed in a given bureau, with whose work he is familiar, whose surroundings have become pleasant and agreeable, and whose personal relationships are well established. To accept a promotion means the necessity of taking over a different kind of work, of changing environment, and of breaking off agreeable personal connections. Reluctance to submit to these necessities may outbalance the desire for higher wages. (2) This reluctance becomes the stronger when the employee learns that discipline and work requirements in the vacant position are more rigid than in his bureau. (3) It is also powerfully affected by the possibility that soon another vacancy in the same grade will occur within his own bureau, to which he may look for promotion. (4) Uncertainty about his capacity to do other work satisfactorily weighs in the minds of some, especially the older employees, or those whose work has been highly specialized. In cases of failure in a new position, the employee is not reinstated in his former line of work, but is separated from the service. The penalty is thus a severe one, and without doubt is an active cause for refusing promotion to other offices. (5) In the cases just mentioned the waiver is voluntary. Unfortunately, many waivers are extorted as the outcome of more or less pressure.

EFFICIENCY RECORDS

A pronounced source of dissatisfaction arises from the failure to handle efficiency records properly. Accurate, honest, efficiency records, kept current, open to inspection, and applied to determining promotion, advancement, and assignment would be a powerful stimulant to constructive effort, both as a recognition and reward to the more capable, and as a spur to the less. As a matter of fact, as efficiency records are actually handled in some departments they furnish the basis for such comments as these: "efficiency records are a joke," "they work against the best employees." There is little confidence in the ratings; on the contrary they are looked upon in some quarters as one of the most effective means to "get" employees out of favor with the head of the office. One of those active in establishing efficiency records a decade ago states that he thinks they now have no value whatever.

ELIGIBLE LISTS

Delay in posting eligible lists is a depressive. One applicant said to an interviewer, "I will be dead a thousand years before I hear from my examination. What's the use?" Others made no secret of their belief that prolonged delay in posting lists was occasioned by reluctance to displace temporary with permanent employees.

POLITICAL INFLUENCE

One of the underlying causes for discontent which affects all the conditions noted in the preceding pages, is the influence (both real and suspected) of politics in securing appointments, promotions, assignments, leaves and special favors. The existing situation is primarily the outgrowth of a lax enforcement of the merit system under preceding administrations, which has inevitably produced in the minds of many city employees the conviction that the only way to get ahead in the city service is to secure political backing. Only an aggressive and complete enforcement of the merit law and the energetic elimination of the accumulated maladjustments of the last ten years can eliminate this point of view. The repeated declarations of the present administration in favor of such enforcement, and the reduction of temporary appointments from 5,500 (out of a force of about 22,000) to less than 2,000 have done much to restore confidence in the ultimate elimination of a considerable proportion of political influence. The occurrence of some cases in which it was thought that political influence was the dominating motive has on the other hand tended to raise doubts as to the consistent and effective application of the declared policies of the administration.

III. RECOMMENDATIONS

The recommendations made to Mayor Dever approach the underlying problem from several points of view. In general they are all intended to create an employment situation out of which will spontaneously arise loyalty to the city, interest in the work, and the most effective use of latent capacities of employees.

The recommendations include:

1. A plan for systematic recognition of meritorious work.
2. A plan for periodic exhibits.
3. Changes in organization and methods.
4. Establishment of a Business Organization for the city.
5. A constructive program for the civil service commission.
6. Special study of a plan for widening the opportunity of public employees within Cook county.
7. Systematic study of physical working conditions.
8. Special study of the salary problem, along with reclassification.
9. Fair and uniform discipline.
10. Encouragement of intergroup competition.
11. Encouragement of social life of city employees.
12. Establishment of an Institute of Municipal Administration.
13. The active leadership of the mayor in personal matters.

SYSTEMATIC RECOGNITION

Of these recommendations the first and one of the most vital is a plan for systematic recognition of meritorious service. Such recognition may be either by groups or by individuals, and should include both. The details of such a plan will naturally require to be worked out by those in responsible positions.

In the first place, it seems advantageous to establish annual recognition of the best work done by a city department. In this competition a small department would have equal opportunity with a large department, as the test of excellence should be the use made of available resources.

We recommend as a well tried and tested means of recognition, an appropriation of $15,000 by the city council for rewarding meritorious service in a financial way. This plan is now in operation in the police department and is giving good results. We recommend that awards be made monthly to an amount to be determined by the appropriation ordinance. Selection should be made by an advisory committee of five persons selected by the mayor from the city departments, who would consider (1) cases sent up by department heads, (2) cases brought to their attention from other sources.

Some cases of exceptional merit, perhaps not more than three or four, should be selected annually for special notice at the meetings of the Business Organization. Those men should be called in and presented to the meeting with a brief statement of their service and a word of commendation and appreciation by the mayor. In other cases a properly engraved letter signed by the mayor should be forwarded as a testimonial.

DEPARTMENTAL ORGANIZATION AND METHODS

In order to set up the most favorable conditions for creating good will and stimulating loyalty and pride in the city service, certain changes in organization and methods are recommended. These include in part practices already in existence in some departments. The recommendations include (a) frequent conference between heads of the departments and their responsible subordinates, (b) quarterly professional or technical meetings, (c) an annual social meeting, (d) an employees' committee in each department, (e) a morale officer in each department.

THE BUSINESS ORGANIZATION

The functions of the proposed Business Organization for Chicago are recommended to include the following matters:

1. To serve as a means by which the mayor can make known his position on matters of administration to those in charge of various bureaus, and to discuss the financial status of the city.
2. To be a means of securing publicity for the work of the city.
3. To give opportunity for recognition of meritorious work by any bureau and for the award of prizes.
4. To consider, through committee appointed by the mayor, any matter laid before the business organization. Such topics might include the best utilization of building space owned by the city; consolidation of areas of administration; elimination of duplication, as in inspections; development of efficiency records, and the like.
5. To create an *esprit de corps* among the permanent city employees, and increase their sense of responsibility for good government.
6. To stimulate a sense of personal loyalty to the mayor and to the interests of the city.

Membership in the proposed Business Organization would comprise not over two hundred of the higher administrative officials, including heads and assistant heads of departments, bureau chiefs, head clerks, superintendents of institutions and others of similar grade.

PROGRAM FOR THE CIVIL SERVICE COMMISSION

Of far greater difficulty is the elimination of political favoritism. It is unnecessary to deal with the pessimistic conclusions of many that politics can never be rooted out of municipal administration; much of it can be, by steady pressure in the right direction. We recommend therefore that to the greatest possible extent, a firm and consistent stand be publicly taken by the administration in favor of the elimination of favoritism and the proper enforcement of the merit system, and that all acts of the administration harmonize with this position. Two or three specific changes will go far to demonstrate a point of view which would lift the morale of the permanent employee over night: (1) an aggressive administration of the civil service law by the civil service commission; (2) the elimination of political regrading of positions; (3) the more rapid posting of eligible lists.

The civil service commission is the center of administration of the merit system and its work is watched with the closest attention by city employees. Every care must be exercised to demonstrate its good faith, as hundreds of employees are so completely disillusioned as to suspect its integrity upon the slightest provocation. We therefore recommend the following constructive program to be undertaken by the commission.

1. Vigorous prosecution of its campaign to eliminate all temporary appointments.
2. The reclassification of the service.
3. Reconsideration of the system of keeping efficiency records.
4. Reduction of the interval elapsing between giving the examination and posting the eligible list.
5. Completion of office records and preparation of comprehensive annual reports.
6. Enlargement of staff.
7. Establishment of a civil service advisory committee.

OPPORTUNITY FOR PROMOTION

In order to attract a higher type of applicant for the city service, we recommend that consideration be given to the plan already discussed in some circles to open up the eligible lists to industrial and commercial firms.

Parallel with the foregoing recommendations is the further proposal that steps be taken opening up the possibility of transfer from city to county, park, state, and federal service and vice versa, within the urban area of Cook county. There are a large number of civil positions in each of these jurisdictions having comparable duties and responsibilities, and the training received in one service would be in many cases equally pertinent to another. The clerical service, the engineering and medical service, the custodial and operating engineer service, would readily furnish similar occupations. If it were made easy for employees to transfer from one service to another the range of opportunity for an able and aggressive employee would be greatly widened. This enlarged opportunity in turn would tend to attract men of capacity and aggressiveness.

ADJUSTMENT OF SALARIES

The dissatisfaction arising from salaries is due to deep seated difficulties for which no ready solution can be found. It is clear, however, that there is a decided need for a thorough going reconsideration of the salaries paid to all employees, resulting in a reclassification of the service and bringing employees again into line with the classification maintained. A careful reclassification will solve only a part of the difficulty. Some means should be found of adjusting salary scales to the changing cost of living, and of striking a balance between one kind of employment and another kind by means other than a threat to resort to strike, or the necessarily hasty consideration which the finance committee can give the question. We recommend, therefore, that careful consideration be given by some agency specially chosen for the purpose and representing all groups interested in this important and difficult problem.

AN INSTITUTE OF PUBLIC ADMINISTRATION

The city service is large enough to make feasible the rapid establishment of the framework within which the ideal of professional competence could be developed. The men and women with professional training could readily take the initiative in founding an Institute of Municipal Administration. Ascertained competence in some branch of the municipal service would be the test of membership; associate membership might be granted to those who were not fully able to meet the qualifications for a period of years, and honorary membership would permit technicians outside of the service to coöperate. The guidance of the institute should be irrevocably fixed in the hands of the members, and the utmost care should be taken that none except properly qualified municipal and other public employees be admitted.

Sections would be developed for special professional groups, as the engineers, the sanitarians, the accountants, and others. The sections meeting separately and the institute in an annual or semi-annual gathering would devote themselves to the study and perfection of their profession, and the enlargement of its contribution to the life of the city. The methods available to them would include assistance in securing well-trained entrants, in forwarding their training within the service, in the preparation of technical reports, in the reading of papers, and in the award of prizes. While the initiative should come from within, support for such an institute would be found in large measure in the professional groups within the city, in the universities, and in the nation wide interest which it would attract.

The foregoing recommendations are offered in the belief and with the desire that they will make city employment more worth while to the men and women who are engaged in it. It is clear that some of these recommendations, which cut at the existence of abuses of long standing, can only be carried out in degree, and by persistent effort. Some parts of other recommendations have already been tried out in an experimental way and their good results observed. Other suggestions may easily be put into operation without foreclosing the opportunity to revert to status quo if found desirable. Some suggestions which might prove difficult to operate effectively now may be tried out after a new morale level has been reached in later months or years. Many of the recommendations are applicable, with modifications, to other municipalities, large or small.

RECENT BOOKS REVIEWED

THE CUSTODY OF STATE FUNDS. By Martin L. Faust. National Institute for Public Administration, 261 Broadway, New York City, 1925. Pp. 176.

This monograph, one of a series of studies recently projected by the National Institute of Public Administration, deals with a subject which has received all too scant attention in the literature of public finance. In view of the immensity of the sums involved and the notorious abuses that have characterized state treasury operations, it is not a little surprising that no thorough survey has hitherto been made of the problem of the custody of state funds. While treasury balances have been increasing by leaps and bounds in the past decade as state revenue has expanded to meet the growth of expenditures, experience has not been such as to warrant popular complacency as to the administration of public funds. Absconding has indeed become rare, but there are other forms of maladministration which have tenaciously persisted to the profit of politicians and favored bankers. Probably no more striking instance of such buccaneering in the handling of public money has arisen in recent years than the well-known case of Governor Small in Illinois.

Dr. Faust has divided his study into two parts. In the first he presents a general survey of state legislation and practice in the administration of funds and in the second a more detailed examination of the development of the depository systems of Pennsylvania, Ohio and Illinois. The first part is more particularly designed for the student of public finance who desires a compact treatment of the problems involved in the efficient management of state funds, while the second part is largely historical in character and of interest in tracing the evolution of present methods and the abuses which brought them forth.

After analysing the principal legal provisions governing the deposit of state money, Dr. Faust proceeds to an evaluation of these requirements in the light of experience and to a consideration of several related matters affecting the administration of funds. Among the chief problems discussed are the methods of selecting depositories and determining the apportionment of public money among them, the fixing of the interest rate on deposits, the nature and amount of security to be required on deposits, the necessity for centralized treasury control, and the desirability of reducing the number of state funds.

On the basis of his study the author has reached a number of conclusions which constitute the principal value of the book. In selecting depositories he finds that competitive bidding affords the greatest protection against favoritism and graft in the apportionment of state money and at the same time produces the highest interest rates. For safety the amount placed with any single bank should not exceed the capital and surplus of the institution and security should be required, preferably in the form of the bond of a surety company. Among other matters the author emphasizes the importance of maintaining but a single treasury and compelling the prompt payment of state receipts thereto. Greater care in stabilizing deposits is urged and the desirability of advance notice in withdrawing inactive deposits is pointed out. In the main the author's conclusions concerning the various phases of his subject appear thoroughly sound and have been substantiated in the experience of the state themselves.

R. C. ATKINSON.

Columbia University.

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THE TOWN COUNCILLOR. By C. R. Atlee and William A. Robson. London: The Labour Publishing Co. Ltd. 3 S. Pp. 127.

Local government in England includes county councils, county borough councils, boroughs, rural district councils and parish councils, as well as municipalities. In this little book of 127 pages there is compacted a truly immense amount of information of value not only to the official charged with specific duties, but to the student who wants quickly to inform himself about the general details of these several branches of local government. It is designed, however, for the tyro, having been prepared for the guidance of Labor representatives themselves. It is a striking illustration of the thoroughness of the Labor party in England, for it was written primarily to help the new Labor members who were not informed as to their duties, but it is not a partisan book, although written in sympathy with the ever-widening development of government functions. From it one learns that the municipal civil service is highly developed, but that a good deal of patronage still exists among the smaller authorities, and "is one of the scandals of English public life." As illustrating the temper and spirit of the book its authors point out that there is not among Labor members "a clear comprehension of the conditions which are necessary to produce and maintain a high standard of efficiency and competency in the municipal service." A capital chapter on "The Civic Spirit" concludes a book which also has no counterpart in this country.

C. R. W.

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REPORT ON PASSENGER TRANSPORTATION IN THE CLEVELAND METROPOLITAN AREA. By the Greater Cleveland Transportation Committee. 1925.

The Report on Passenger Transportation in the Cleveland Metropolitan Area by the Greater Cleveland Transportation Committee represents the kind of co-operation which is greatly needed between the municipal authorities of all the metropolitan areas in this country. The Cleveland committee was appointed by the president of the Metropolitan Council, and consisted of three members of the Cleveland City Council, a representative of each of the three suburban cities of Lakewood, Cleveland Heights, and East Cleveland, and one member at large. It was requested to investigate the passenger transportation problems of the metropolitan area and to submit to the Metropolitan Council and to the governing bodies of the four municipalities its recommendations.

The committee is satisfied that motor buses will never take the place of surface cars, but that there should be a co-ordinated service of the two forms of transportation under the Cleveland Railway Company. No need is seen for an elaborate and expensive transit investigation, as the Cleveland public is well posted on local needs and conditions. A Public Relations Department should be established by the Railway Company to promote a better understanding between public and company, and to help in building up service. The problem of traffic congestion was found to be handled so effectively by existing agencies that no particular study was made of it.

The Taglen Grant of 1910 was found to have worked satisfactorily as a whole, except that new capital could not be sold at par, as required under the grant, and consequently was not forthcoming. The committee declined to recommend any increase in the dividend rate of 6 per cent, as requested by the company, believing that sufficient new capital could be obtained if the grant were extended from 1944 to 1950; the maximum fare to be fixed at 10 cents; the interest fund to be $1,000,000 before fares are reduced, instead of $500,000; and other modifications to be adopted by the Cleveland City Council. The nine different rates of fare throughout the metropolitan area should be revised, so that the entire City of Cleveland shall have one rate of fare, based on service-at-cost, and the three suburban cities should pay one cent more than the Cleveland rate. Certain economies in operation are recommended, especially the trial of motor buses on three unprofitable lines.

The committee believes that Cleveland is not ready for rapid transit yet, but that it will be required in the future in some form in addition to any facilities which the Van Sweningen interests may provide. Any subways should be owned by the city, and operated by the company under a service-at-cost plan, a material part of the cost to be assessed upon the property benefited.

A Permanent Metropolitan Transportation Board is recommended, four members to be appointed by the Cleveland City Council, and one by each of the suburban cities. The board should be purely an advisory one, to study such questions as the betterment of street car service; the most effective co-ordination of electric cars and motor buses; the financing of future improvements; co-operation between the municipalities; and the construction of rapid transit lines.

JOHN P. FOX

ITEMS ON MUNICIPAL ENGINEERING

EDITED BY WILLIAM A. BASSETT

Advisory Committee Feature of New Traffic Act for London.—The establishment of an advisory committee to investigate and report on all phases of London's street traffic problem is a feature of an act of Parliament which received royal assent during the early summer and has recently become operative in the city of London. This act designed to provide means for developing plans to relieve the congested condition of London's streets affects an area extending twenty-five miles from Charing Cross. Among its provisions are regulations designed to effect better co-ordination of street improvement work, the prescribing of bus routes and the licensing and limiting of the number of buses operating over approved routes and the reporting on and investigation of street accidents of all kinds. The enforcement of the provisions of this act is delegated to the minister of transport who is empowered to formulate regulations limiting the amount of traffic on any particular route and also restricting the character of vehicles permitted to use certain streets. As an example of centralized authority over traffic matters other than the exercising of strictly police duties, this arrangement offers possible means of effecting administrative control over traffic, the working out of which should be of interest to American cities faced with a traffic problem extending beyond their immediate limits.

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Financing Municipal Water Supply Extensions.—The financing of extensions to the water supply system is an annually recurrent problem for every growing community and yet there is a surprising lack of uniformity in the methods employed in this important matter and many examples of unsound financial policy. Naturally the precise method that can be most advantageously followed will vary somewhat with local conditions, but there is one principle that should be recognized in every case. This is, that any method of paying for water main extensions into new territory which places the whole or any part of the cost of the extension on the consumer as a whole is basically wrong. By extension is meant the installation of a water pipe of size sufficient to provide proper domestic and fire protection service for the immediate locality, the water department assuming all cost in excess of the above which is needed to strengthen the system as a whole. The following comment outlines certain of the main considerations entering into this problem.

Funds to meet the cost of local water main extensions are obtained from a variety of sources. These include water revenues, tax levy, bonds and special assessments on property served. Financing extensions from the tax levy has little or no sound basis unless it be done in lieu of taxation to meet the cost of fire protection furnished by the city without charge. The use of bonds to finance these extensions is generally followed in combination with the guarantee method. When this method is employed an arrangement is made between the municipality furnishing the service and the property owners desiring water supply for their properties under which the city or the municipality meets the initial cost of making the extension out of bonds, and the property owners guarantee a return from water revenues sufficiently large to cover their proportional share of all maintenance and operating charges incidental to furnishing the water supply and also to pay fixed charges including depreciation on the capital investment which the extension represents. In the case of a privately owned utility, the use of the guarantee method is a suitable one. With a publicly-operated utility run substantially at cost, there appears to be no argument for the use of this method unless it provides for an addition in the rate charge over the prevailing one sufficient to pay fixed charges over a given term of years.

Among other objections to the guarantee method in the financing of local extensions by municipally-owned systems are: First, difficulty in getting consent of all owners of abutting property along the street in which the extension is to be laid to participate in the payment of a guarantee. Second, if all property owners do not participate under the guarantee method, those failing to do so will profit unduly over the ones meeting the expense of the guarantee as the benefit inhering to property by reason of the extension will be uniformly distributed over the district served. Third, it occasionally happens unless careful investigation is made of the probable return from revenues that the result from contemplated extensions may not be sufficient to meet the guarantee on the cost of the extension. In this event, of course, the community has recourse to placing liens on the property furnishing the guarantee as a means of reimbursing itself for expenditures made. However, procedure of this kind is undesirable, except when necessary on account of failure to pay legitimate charges for use of water. Any arrangement that may tend to produce conditions demanding action of this kind is an undesirable one from many points of view. All in all the objections to the guarantee method for muncipally-owned water systems outweigh any possible advantages it may possess.

During the past few years there has been a distinct trend towards employing the method of special assessment in the financing of local water main extensions. There are sound grounds for this practice as water supply confers a real benefit to the property served. This method also provides a means of extending the system to meet increasing needs of a community and at the same time places the burden of financing such work on the property directly benefited.

In the applications of the method of special assessment to the financing of local water main extensions, the following conditions should be observed.

1. The water department should determine whether the extension is required by public convenience and necessity and when so decided should establish a definite means for assessment based upon the average cost of laying a water main of proper size to supply both domestic and fire protection service to the street in question.

2. The water department (for the municipality) should pay the proportion of the cost which is for general benefit, usually from one-fourth to two-thirds the cost of the extension.

3. Two methods seem applicable for payment of the assessment: (a) a frontage tax against all abutting property which may be served by the extension; (b) an "entrance fee" for the privilege of connecting with the water main, based on lot frontage.

4. The assessment should be payable in a lump sum or in installments during a fixed term of years.

The use of a frontage tax has certain objectionable features unless the rate charge is modified from time to time to meet any changing cost in water main construction.

When such conditions exist it is necessary to provide funds to meet immediate expenditures in some other way. In general a flat frontage tax does not constitute an equitable distribution of the cost as it usually produces revenues either in excess or below the amount required. There is no inherent difficulty in keeping cost of laying water main extensions and basing the assessment on the actual cost of the work. This method is to be recommended.

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To the Members of the National Municipal League:

The Committee on Nominations begs to submit herewith, in accordance with the constitution, the following nominations to fill vacancies occasioned by expiration of terms in 1925:

For President—Frank L. Polk, New York.

For Vice Presidents—Richard S. Childs, New York; Carter Glass, Washington, D. C.; Charles Evans Hughes, New York; W. D. Lighthall, Montreal; Meyer Lissner, Washington, D. C.; A. Lawrence Lowell, Cambridge, Mass; J. Horace McFarland, Harrisburg; C. E. Merriam, Chicago; W. B. Munro, Cambridge, Mass.; L. S. Rowe, Washington, D. C.; Mrs. Franklin D. Roosevelt, Hyde Park, N. Y.

For Treasurer—Carl H. Pforzheimer, New York.

To Fill vacancies on the Council in class of 1926—William P. Lovett, Detroit; William Parr Capes, Albany, New York.

To fill vacancy on the Council in class of 1927—Herbert E. Fleming, Chicago.

For Council—Class of 1928—M. N. Baker, N. Y.; J. P. Chamberlain, N. Y.; C. A. Dykstra, Los Angeles; Mrs. George Gellhorn, St. Louis; Chauncey Hamlin, Buffalo; Mrs. John T. Pratt, N. Y.; Lawson Purdy, N. Y.; Howard Strong, Philadelphia; Mrs. Ordway Tead, N. Y.; Lent D. Upson, Detroit.

THE NOMINATING COMMITTEE.
Samuel A. Carlson,
Raymond V. Ingersoll,
Raymond Moley,
William J. Schieffelin,
Lawson Purdy, *Chairman.*

GOVERNMENTAL RESEARCH CONFERENCE NOTES

BY ARCH MANDEL

The Vancouver Bureau of Civic Research should be added to the list of research agencies. T. Howard Goodwin, assistant secretary, is the executive, and the address is 107 London Building, Vancouver, British Columbia.

◆

Newark Bureau of Research.—In its recent report on "The Cost of Cleaning Public Buildings in Newark," the Bureau of Research of the Newark Chamber of Commerce has pointed out how the cost can be reduced from $74,034 to $41,860, without detriment to the service; in fact, in order to be fair, the report recommends a wage payment in excess of the generally accepted wage.

◆

The following researchers were present at the conference on the science of politics held at Columbia University, September 7–11: L. E. Carter of Cleveland, W. C. Beyer and C. A. Howland of Philadelphia, and L. H. Gulick, P. H. Cornick, C. E. McCombs, W. Watson, and A. E. Buck of New York.

◆

El Paso, Texas, is having installed a unit system for the valuation of real estate for taxation purposes. The tax and economy committee of the Chamber of Commerce is following the work, and is co-operating with the assessor in fixing property values.

◆

Toronto Bureau of Municipal Research.—During the past two months the bureau has been preparing a series of six bulletins explaining and giving a short history of the council-manager form of government for cities. It also co-operated with the Ontario Municipal Association in its twenty-sixth annual convention, which has just been held at the City Hall, Toronto. The director of the bureau is secretary-treasurer of the Ontario Municipal Association.

◆

Citizens' Research Institute of Canada.—The institute has issued another instalment of its municipal statistics service, and has completed a study of taxation in Canada in relation to the national production.

The main work of the institute during the summer months has been arranging for the third annual meeting of the Canadian Tax Conference and the second annual meeting of the Canadian Civil Service Research Conference, which met at the University of Western Ontario, London, Ontario, on September 29 and 30 and October 1. These organizations are departments of the institute and have over five hundred members from all parts of Canada.

◆

Taxpayers' League, Duluth.—Assignments under way include budget studies for the city, county, and schools for the year 1926; and a study involving the removal of some 750,000 cubic yards of rock which lie in the center of Duluth, dividing two of the city's most important business districts.

The Duluth city planning commission, after three years' work, has submitted a zoning ordinance to the city council. It will probably have been adopted at this date.

Joseph F. Base, engineer, recently graduated from the Syracuse University School of Public Affairs and Citizenship, and of the National Institute of Public Administration, has been added to the staff of the Taxpayers' League. J. R. Pratt, graduate of the University of Minnesota School of Public Administration, who has been working with Morris Lambie, of the University Bureau of Governmental Research, has also been added to Mr. Goodrich's staff.

◆

Kansas City Public Service Institute.—The five-year public improvement program which has been in the process of preparation since spring has been completed. The Public Service Institute served as research agency for the Public Improvement Association. The report to the improvement association is limited to improvements involving the expenditure of bond funds, and is in the form of a list of bond proposals with necessary explanation and discussion.

The new Kansas City charter has been upheld by the supreme court of Missouri. It was attacked on various grounds, and the decision of the court upheld the charter on every count. The city and charter friends co-operated in the suit, since they were anxious to have a decision on all possible points. The first election under the charter will take place November 3 with a primary on October 13. At the time of writing this, there is a considerable interest in candidates. Nominating petitions must be filed by September 15. There is no strong independent citizens' movement, but indications are that there will be a considerable number of independents and unusually strong tickets presented by both of the major parties.

Mr. G. W. Hall, Jr., has been added to the staff of the institute as engineer.

⁂

Toledo Commission of Publicity and Efficiency.—Study of the concealed weapon arrests in Toledo for 1924 shows that out of 98 arrests made by the police department, only 19 individuals were sent to the state prison on this charge. Seven of the 98 were fined between $25 and $50; 15 were given suspended sentences, 4 were found not guilty by jury, and the balance were discharged or nol-prossed. This report was made to cover one local phase of the nation-wide movement to combat crime initiated by the National Crime Commission.

The commission of publicity and efficiency is now engaged in making a survey of the health department of the city of Toledo. The commission is using as a guide Public Health Bulletin No. 135 containing a report on municipal health department practices by the American Public Health Association in co-operation with United States public health service. The Toledo situation is complicated by the fact that the city's straitened finances have forced it at various times in the last decade to turn over to private institutions certain health department activities.

An attempt to prevent over-appropriating by council this year has been made by the commission of publicity and efficiency, which has obtained the passage of an ordinance providing that the legislative body cannot authorize any appropriations during the year without a certificate of revenue availability from the finance director.

This ordinance was successful in checking supplementary appropriations early in the spring, but later council authorized considerable expenditures without these certificates. Recently the commission again called the attention of the city council to this delinquency, and the latter agreed to abide by the provisions of this ordinance. In past years the state examiner has charged that the city council has appropriated huge sums in excess of revenues which have resulted in deficits funded by deficiency bonds.

⁂

Ohio Institute.—Prentice Reeves, formerly of the department of psychology at Ohio Wesleyan University, has joined the staff of the Ohio Institute to specialize in the field of penology.

A study of state aid to local schools, county equalization of school revenues, and school districting is being undertaken by the Ohio Institute for the Ohio State Teachers' Association.

⁂

Syracuse University School of Citizenship and Public Affairs.—The School of Citizenship and Public Affairs has two research projects under way at the present time. The first is being handled by Mr. Robert Whitten, city planner formerly connected with the commission in the city of Cleveland, with whom several graduate students in public administration have been co-operating. The investigation deals with methods of handling new allotments in selected cities of New York state. This covers both the control of such allotments by city authorities, width and character of streets, the presence or absence of recreational fields, as well as the whole question of values. It is anticipated that the report will be published by December next.

The second project is being handled by members of the school staff in co-operation with the members of the staff of the National Institute of Public Administration and the Bureau of Public Roads at Washington. The question under consideration is as to the economics of road building with particular reference to the distribution of the tax burden in relation to the advantages which accrue from the improved roads. The data collected by the Bureau of Public Roads of the federal government are being used as the point of departure of the investigation.

NOTES AND EVENTS

BY A. E. BUCK

Pasadena Emasculates the Manager Plan.—City Manager C. Wellington Koiner of Pasadena recently resigned because of encroachments by the council upon the administrative field of the manager. The council passed an ordinance which provided that each member of that body should assume administrative responsibility for one or more of the city departments. Heretofore the manager had appointed the heads of these departments and they had worked under his direction. By this ordinance the power of the manager to remove or discipline the departmental heads was made subject to the approval of the council. Any employee who becomes dissatisfied with the rulings of the manager may appeal directly to the council. Mr. Koiner maintained that this ordinance resulted in the "emasculation of the manager plan so far as it applied to Pasadena, making the manager nothing more nor less than an office boy or clerk to the board."

◆

Administrative Changes in Baltimore.—In a recent message to members of the city council Mayor Jackson of Baltimore outlines the accomplishments of his administration. One thing that is especially interesting is the work of the mayor's commission on efficiency and economy. This commission studied the administrative organization and methods of the city government and suggested a number of improvements. The most of these have already been adopted. A central payroll bureau, a bureau of receipts, and a bureau of disbursements have been established. The office of collector of water rents and licenses has been consolidated with the office of the collector of taxes. Authority has been obtained from the state legislature for the enactment of a general pension system; the city council has provided by ordinance for the appointment of a retirement commission, which is engaged in working out the permanent pension system. An ordinance was passed making adjustments in the license fees of the markets, so they are now on a self-supporting basis.

The engineering committee of the commission on economy and efficiency recently completed a detailed report recommending the consolidation of a number of agencies into a department of public works. An ordinance creating this proposed department was enacted in July. It provides for the establishment of a department of public works headed by a chief engineer appointed by the mayor with the consent of the council. This department has the following ten bureaus: water supply, highways, sewers, harbors, mechanical-electrical service, buildings, street cleaning, plans and surveys, standards, and transportation.

◆

Westchester County (N. Y.) Park Plans.—The Westchester county park commission recently published its third annual report. This report outlines the activities of the commission and shows that $21,700,000 has been spent by the county on parks during the last three years. The commission has acquired 10,815 acres of park lands and laid out 122 miles of parkways. All the parks are to have athletic fields, and some are to have bathing beaches and golf courses. Facilities for family outings are to be supplied at all parks.

◆

Distribution of the Local Tax Dollar in Cook County (Chicago).—An interesting analysis of the distribution of the tax dollar and the cost of Cook county government has recently been made by J. L. Jacobs & Company for the board of county commissioners. This analysis shows that out of every dollar of taxes collected in Cook county 8.3 cents goes to the county government and the remainder, or 91.7 cents, is distributed as follows: board of education, 35.4 cents; city of Chicago, 33.4 cents; parks, 9.9 cents; state government, 7.6 cents; and sanitary district, 5.4 cents. The total for the support of the county government in 1925 amounts to $13,500,000. This is expended on the following percentage basis: institutions, social service and education, 43.4 per cent; assessment and collection of taxes, 14.6 per cent; prevention and prosecution of crime and criminal court activities, 15.1 per cent; civil court activities, 11.8 per cent; recording of titles, 8.6 per cent; miscellaneous, 6.5 per cent.

The Western States Taxpayers' Conference was held at Portland, Oregon, on August 25–26. Twelve western states were represented: namely, Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Texas, Utah, Washington, and Wyoming. The program was devoted largely to tax problems, especially those confronting the states represented.

✱

Problems of American Democracy is the title of a syllabus prepared by the Columbia College staff in government and adapted for university extension work by Schuyler C. Wallace. It is designed primarily for students, but should be of interest to the general reader who wishes to do introductory reading in American government. The subject matter is presented not in terms of governmental organization, but through the study of a series of problems and processes common to all units of government. By this method it is thought a more realistic conception of government and its functions can be gathered. The ten major headings of the outline are: popular control, the legal frame of government, law making, the executive and administration, the personnel problem, public finance, the administration of justice and the preservation of order, human welfare, economic development, and international relations.

✱

State Gasoline Taxes.—E. P. Learned of the University of Kansas has written a 94-page bulletin on this subject which was published by the University on March 15. This document treats the subject under the following chapter headings: origin and purposes of the gasoline tax, arguments for and against the gasoline tax, the spread and development of the tax, administration of the tax, exemptions from gasoline tax and distribution of receipts, and incidence of the gasoline tax. A rather complete summary of the court decisions on gasoline tax is given. On the whole the text is quite readable. It may be regarded as being right up to date, since it gives the status of the tax as of July 1 of this year.

✱

Methods of State Separation.—The Detroit Bureau of Governmental Research has published a memorandum (No. 86) on this subject prepared by Prof. Thomas H. Reed of the University of Michigan. It states that "on occasions the question has been raised in New York, Chicago, and Detroit, as to whether numerous problems of municipal and state government could not be best settled by the separation of these cities from their respective states, and their creation into separate states." Professor Reed has outlined the method of separation that might be followed in the case of Detroit. It is claimed that "should the unprecedented growth of cities continue, requiring the development of large metropolitan districts, and the problem of metropolitan representation and taxation with respect to the balance of the state remain unsettled, city-state separation is not a fantastic, even if remote, possibility."

✱

The Regional Plan of New York and Its Environs.—Recently a large scale map of the New York region made in 23 sections by the United States geological survey was delivered to the Regional Plan of New York Committee. This map shows the city and Long Island and extends east into Connecticut as far as Bridgeport. It goes north in New York state as far as Newburgh and west and south in New Jersey as far as Lake Hopatcong and the north Jersey coast. The area covered by the map is more than 5,500 square miles. The map is on the scale of 2,000 feet to the inch. About 9,000,000 people live and work in the 400 cities and towns in the area covered by this map, which is the "region" of the regional plan.

In commenting on the plan, Mr. Thomas Adams, director of the Regional Plan of New York Committee, said:

> In making a regional plan which is greater in respect of area, population and complexity of problems than any hitherto attempted, we should consider all proposals to be put on the plan from a regional point of view, and therefore in broad outline, leaving detailed city planning to the municipal authorities. Thus, while we are indicating new railways or highways we will have to assume that the contours are approximately correct, and leave the selection of precise routes to the detailed planning which should be carried out by the different communities.
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> There is no really good precedent to guide us; part of our duty is to make a precedent. A regional plan should be a guide in regard to the functional development of the region rather than an attempt to define arbitrarily the uses of different areas within it.

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Conditions of Municipal Employment in Chicago.—This is the title of a printed report made by Leonard D. White of the University of Chicago and submitted to the city council of Chicago June 10, 1925. It is a document of 114 pages devoted largely to a study of the morale of the city service. Elsewhere in this issue of the REVIEW is an article by Professor White which summarizes the conditions which he found and the recommendations which he made to meet them.

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New Jersey's Proposed Constitutional Amendments Attacked.—The 1925 session of the New Jersey legislature passed amendments to the constitution which, if approved by the people of the state, will enable municipalities to adopt zoning ordinances, provide for biennial legislative sessions, a two-year term for assemblymen, and a four-year term for the governor. These amendments have been recently attacked as being irregular. It is claimed that in passing the zoning amendment the yeas and nays of the members of the house were omitted from the house minutes, although there is a constitutional requirement that these be recorded. It is also claimed that the other proposed changes, embodied in one resolution, provide for five amendments to the phrasing of the present constitution.

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History of Pasadena's Municipal Light and Power Plant.—This is the title of an interesting story in pamphlet form of the growth and cost of the municipal light and power plant of Pasadena prepared by General Manager C. W. Koiner. The plant has been in operation since 1909. During its operation it is estimated that savings resulting to the users of electrical energy amount to more than $3,000,000. The maximum rate is 5 cents per kilowatt hour as against an average of 6.5 cents charged by private concerns in the neighboring cities, excluding Los Angeles.

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Cleveland Politicians Outvoted.—The best laid plans of mice and politicians still go wrong now and then, even when laid in August, the month when all the city dwellers who can get away take vacations and many of those left behind succumb to the attacks of general apathy. In proof whereof we cite the defeat at Cleveland, Ohio, on August 11, of a charter amendment designed to return from proportional representation to the good old ward system of electing councilmen. Reports are that the politicians of both the leading parties united to carry the amendment, but though the vote was even lighter than the most hopeful predicted—41,280 out of a possible 200,000—there was a majority of 800 against the change. Ordinarily these light votes are interpreted as showing lack of interest in municipal affairs. In this Cleveland instance it seems to indicate even more strongly a misgaging of public sentiment by the politicians who maintained that a year or so of proportional representation had convinced the public of its unwisdom. The results at Cleveland are all the more significant because, if the politicians had won, then their next attack, it is believed, would have been against the city manager plan. Cleveland is much the largest American city which has adopted either proportional representation or the city manager plan. It is to be hoped that each will be kept in use at least until it has had a fair trial on such a large scale.—*Editorial in Engineering News-Record for August 20, 1925.*

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Analysis of the Finances of the State of Indiana, 1913–1923.—This analysis is published in the "Indiana University Studies" (No. 63). It was prepared by Charles Kettleborough, director of the Indiana legislative reference bureau, and Frederic H. Guild, formerly of the Indiana University. According to the figures given, the cost of the state government of Indiana during the 11 years from 1912 to 1923 increased from $9,125,600 to $30,578,400, representing an aggregate increase of $21,452,800, or 235 per cent. This increase is accounted for in the following manner:

1. Increase in the cost of general government	$402,500
2. Increase in schools, state institutions, etc.	9,288,100
3. Added by services established in 1913 or subsequently	11,766,600
4. Increase in cost of reorganized and expanded departments	176,900
Total increases	$21,634,100
Less decreases in cost of services	181,300
Total increase to be accounted for	$21,452,800

The interesting items in this tabulation relate to the rapid increase in the cost of education and welfare work and the tremendous expansion of state services. These two make up practically the total increase in the cost of the state government over this period. The other items are negligible. Is Indiana's experience in this matter typical of that of the other states?

◆

We are glad to publish a statement from Director W. H. Nanry of the San Francisco Bureau of Governmental Research, taking exception to certain parts of a note which we published in the June REVIEW (p. 387), concerning a report prepared by the bureau on the depreciation requirements of the San Francisco municipal railway:

> The comment questions the basis of estimating depreciation as adopted by the bureau, and goes on to state, "It is also questionable whether it is fair to ask a street railway to maintain full depreciation reserves when bond redemption and extensions financed from earnings are at least equal to depreciation. Without passing judgment upon the financial policy of the San Francisco Municipal Railway, we feel that the standards of judgment of the San Francisco Bureau are unusually difficult. Most privately-owned street railways do not attempt to retire bonds from earnings and very few, if any, have undertaken to maintain depreciation funds by anything like the basis here proposed."
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> The basis of estimating depreciation, which the bureau used in its report, is the summary of experience throughout the country, considerable data on which were included as part of the report. In our judgment the only debatable point is, from the accounting standpoint, as to whether the depreciation reserves should be such as to absorb estimated depreciation requirements on the basis of reproduction costs, instead of the lower historical costs. As to whether a street railway should maintain depreciation reserves, when bond redemption and extensions financed from earnings are at least equal to depreciation, the answer must depend upon whether the railway is expected to have available resources to cover inevitable depreciation requirements when the various parts of the property wear out and must be replaced. Theoretically, if a property is worth $5,000,000, depreciates to the extent of $1,000,000, and on the other hand is given added value by the investment of $1,000,000 of earnings in extensions to the original property, the new investment has offset the depreciation and, therefore, cash reserves are not required. Actually, however, unless a street railway can borrow on the $1,000,000 of new investment it will have no cash to meet required cash expenditures if the accrued depreciation of $1,000,000 is of such character as to require renewals and replacements.
>
> The salient point in the financial policy of the San Francisco Municipal Railway was as to the effect of the abandonment of the original depreciation plan. Although the 18 per cent of gross passenger revenues set aside for depreciation, bond redemption and accident claims was a novel method, it was, as originally calculated, sufficient to set up adequate depreciation reserves. The weakness rested in the fact that although called a depreciation fund it was considered as a surplus or profit fund, and within the last several years was appropriated for various purposes not contemplated when it was originally created.
>
> We have felt that the imposition of depreciation and bond redemption charges on the earnings of a publicly-owned utility has placed a heavier burden on the revenues of publicly-owned utilities than is the custom and practice for privately-owned utilities. The solution, in our opinion, however, is not to be found by the abandonment of adequate depreciation reserves. It has been stated that many of the public utility difficulties of recent years have been due to the earlier inadequacy of accounting systems, and the failure to recognize the necessity of current depreciation charges to meet future replacement expenditures.
>
> To bring the financial policy of publicly-owned utilities to a basis more nearly comparable with those of privately-owned utilities, it would seem logical that the taxpayers should assume the burden of bond redemption, and that the earnings of the publicly-owned utility should pay into the general fund, for the benefit of the taxpayers, interest on the capital value of the property used by the utility.
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> However, the usual argument that is advanced for publicly-owned utility projects is, as you know, that the project can pay for itself out of its own earnings, and that after the original bond issues are retired can promise unusually low rates by the elimination of debt charges for capital expenditures.

NATIONAL MUNICIPAL REVIEW

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EDITORIAL COMMENT

Annual Meeting of the National Municipal League The place is the William Penn Hotel, Pittsburgh. The time is November, 17–19. Are you going to be there? An unusual program and a good time are promised. This is the thirty-first annual meeting of the League. The first day is given over to the programs of the Governmental Research Conference and the National Association of Civic Secretaries. The League's program begins on Wednesday and continues through Thursday.

On Wednesday, November 18, there will be four meetings—a morning session, a luncheon, an afternoon session, and a pageant in the evening. At the morning session, the "Technique of Influencing Public Opinion" will be discussed. Harris Forbes Baker, president of the Civic Club of Allegheny County, will be the presiding officer. Walter J. Millard, battle-scarred veteran of many charter campaigns, will speak on "Lessons from Charter Campaigns." Following this, Ivy L. Lee, adviser in public relations and publicity specialist, will present "An Advertiser's Views on Selling Good Government to the Citizens." The discussion will be lead by Richard S. Childs, the League's well-known sponsor. Mr. Childs always sends up a skyrocket or two.

The luncheon will be presided over by Frank L. Polk, president of the League. The speaker will be Walter Lippmann, nationally known author and editorial writer, and his subject will be "Public Opinion—What It Is and How It Works."

The afternoon session will be given over to a discussion of "Planning Metropolitan Regions." F. A. Delano, president of the American Civic Association, will preside. Thomas Adams will speak on "Regional Planning." Mr. Adams is director general of the regional plan of New York and its environs; he was formerly adviser on town planning to a number of localities in England and also to the dominion government of Canada. C. A. Dykstra will speak on "Supplying Electrical Power to Municipalities in a Region," contrasting private with municipal ownership.

The evening program will consist of a dramatic pageant showing thirty years' history of the Civic Club. This pageant will be presented by the drama department of the Carnegie Institute of Technology. Mrs. Imogene G. Oakley will deliver an address at this time.

The program on Thursday, November 19, will consist of a morning session, a luncheon, an afternoon session, and the annual meeting of the P. R. League in the evening. The morning session will be devoted to the subject of "Enlisting and Holding Citizenship Interest in Public Affairs." H. S. Buttenheim, editor of the *American City*, will preside. Lent D. Upson, widely known in governmental research circles, will speak on "Coöperation between Research Bureaus and the Public." Harland Bartholomew, city planner of St. Louis, will speak on "Getting Results in City Planning and Zoning." Alfred Bettman, president of the United City Planning Committee of Cincinnati, will lead the discussion.

The luncheon will be presided over by J. Horace McFarland, former president of the American Civic Association. Lorado Taft will be the speaker.

The afternoon session will be devoted to a discussion of the "Problems of Metropolitan Regions." W. P. Lovett, president of the National Association of Civic Secretaries will preside. Thomas H. Reed of the University of Michigan, former city manager of San Jose, California, will discuss "What Government Should a Region Have?" Lawson Purdy will conclude the afternoon session with a discussion of "Financing Comprehensive Improvements within the Region." Mr. Purdy, who was formerly president of the New York City board of taxes and assessments, is nationally known for his work on municipal property assessment.

The P. R. meeting in the evening will close the program. Mr. Childs will probably preside and add his wit to the gayety of the occasion. The meeting promises to be as unrestrained as college days after "exams." Reports on P. R. in Cincinnati, Cleveland and elsewhere will be given.

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Meeting of the Governmental Research Conference The Governmental Research Conference will have its annual meeting at Pittsburgh in connection with the National Municipal League. Its program for Tuesday, November 17, will be as follows: A morning session at the William Penn Hotel, a luncheon at the Pittsburgh Athletic Club, an afternoon session at the Pittsburgh Athletic Club, and dinner at the University Club.

R. E. Miles of Columbus will preside at the morning session. C. E. Rightor of Detroit will discuss "How to Prepare a Ten Year Financial Program." "Charter Making and Campaigns" will be discussed by Stephen B. Story of Rochester, Walter Matscheck of Kansas City, Frank Olson of Minneapolis, and Harold L. Henderson of Milwaukee.

The luncheon will be presided over by Lent D. Upson of Detroit. The speaker for this meeting has not yet been announced.

L. E. Carter of Cleveland will be in the chair at the afternoon session. The general subject will be "Over the Goal Line with Municipal Research." This subject will be discussed as it relates to the cities from which the different speakers come—William C. Beyer of Philadelphia, John B. Blandford of Newark, C. T. Herbert of St. Paul, and W. H. Nanry of San Francisco.

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Contest for Playground Improvement An interesting article on municipal sports, written by Mr. Pangburn of the Playground and Recreation Association of America, appears in this issue of the Review. Playgrounds and athletic fields are obviously necessary for the development of sports in cities. Many of the 5,000 outdoor playgrounds and athletic fields in the United States and Canada are ugly and unsightly largely from the lack of care.

The Association has announced a national contest for the improvement of playgrounds. Thirty-three prizes are offered as awards to communities which make the most progress toward beautifying their playgrounds between now and November 1, 1926. An award of $500 will be made to the winner in each of three population groups, as follows: communities under 8,000, communities of from 8,000 to 25,000, and communities of more than 25,000. Awards of $25 each will be made to ten other playgrounds which rank high in each group. Certain nursery companies have agreed to supplement the awards by gifts of $50 worth of nursery stock to each winning playground. A community may enter as many playgrounds as it wishes, but awards will be made to not more than one in each community.

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Federal Subsidies to the States

There has been a phenomenal increase in federal subsidies to the states since 1912. In that year such subsidies amounted to $6,000,000; for 1926 they will amount to $132,000,000. The subsidy system is described in this Review by Austin F. Macdonald of the University of Pennsylvania. Mr. Macdonald has pictured a system which seems to have come up much like Topsy—"jist growed." While he thinks that it has brought about improvement in certain fields of state work, he does not think that Congress should continue to grant millions of dollars in this form without a definite program.

Several public officials have recently opposed the extension of the subsidy system, the most notable of whom is President Coolidge. In his message transmitting the 1926 budget to Congress, he said:

> These subsidies are prescribed by law. I am convinced that the broadening of this field of activity is detrimental both to federal and state governments. Efficiency of federal operations is impaired as their scope is unduly enlarged. Efficiency of state governments is impaired as they relinquish and turn over to the federal government responsibilities which are rightfully theirs. I am opposed to any expansion of these subsidies. My conviction is they can be curtailed with benefit to both the federal and state governments.

Certainly a careful study should be made to ascertain the results of the federal subsidy system and to determine the bounds within which it should be kept. In other words, as Mr. Macdonald points out, a definite policy or program should be formulated and adhered to by Congress.

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The 1926 Budget of New York City

The tentative figures of the 1926 budget of New York City show a total of approximately $440,000,000. This is $40,000,000 in excess of the budget for the current year. Even the current year's budget is larger than that of any other governmental unit in this country, and it is approximately one-eighth of the 1925 budget of the national government.

This enormous budget for the operation and development of New York City government should cause us to reflect a bit. In 1904 the budget of this city crossed the hundred-million mark; in fact, that year the budget was $108,000,000. In 1917 it reached a total of $211,000,000. The population had increased 28 per cent during this time, the budget 95 per cent when reckoned in cheaper dollars. The proposed 1926 budget means an increase over 1917 of over 100 per cent, while the population has grown about 14 per cent. Although the proposed budget is quadruple that of 1904, the tax rate has risen only about 80 per cent since that time. This is the result of the increased valuation of property. The tax rate for 1926 will probably remain about the same as that of 1925, the billion dollar increase in property valuation making possible additional income sufficient to finance the proposed budget.

Of course, comparisons, such as we have made above, mean very little when analyzed. We must expect the existing activities of the city government to expand and the addition of new activities to become necessary from time to time. Evidently, the most taxpayers can hope for is the elimination of waste in departmental and institutional operations, so that only necessary expenditures are made and the services performed return the money's worth to the community.

*

Regional Government The term "regional government" has been explained more accurately as the "adjustment of government to regional needs." This apt expression comes from the pen of Paul Studensky, secretary of the National Municipal League's committee on regional government. Mr. Studensky presented a paper on this subject before the round table on regional planning at the National Conference on the Science of Politics, which met at Columbia University early in September. The discussion at that time, however, was merely preliminary to a thorough study of the subject which the League's committee expects to complete in the near future.

More Fire Prevention Work Needed All the teaching Americans receive about matches, cigarette stubs, defective chimneys, and spontaneous combustion of oil rags, seems to go for naught. At least, the statistics of our national fire loss would so indicate. This loss has risen from $145,000,000 in 1903 to $203,000,000 in 1913 and to $535,000,000 in 1923, an increase of 269 per cent in 20 years. The loss for 1923 is estimated to be 61 per cent of the value of our total annual wheat crop, and five times our total gold and silver production. This loss amounts to a per capita of $5.02, as against 72 cents in Great Britain, 28 cents in Germany, and 11 cents in Holland. Obviously, teaching does not meet this situation. For this reason the slogan of the recent fire prevention week was "Build Fire-Safe," instead of the old slogan, "Be Careful." The wisdom of this new slogan is apparent from the figures of a recent survey conducted by the Department of Commerce. This survey shows 20,697,204 dwelling houses in the United States, of which 17,247,670, or 83.34 per cent, are of ordinary wood-frame construction. Tremendous fire loss in this type of buildings can be prevented in a large measure by the use of stucco on the exterior walls and structural fire barriers on the interior, such as a fireproof floor above the furnace cellar. Hence the new slogan.

MUNICIPAL SPORTS IN THE UNITED STATES

BY WEAVER PANGBURN

Playground and Recreation Association of America

The tremendous influence of sports upon American life, especially in the cities, is here vividly described. :: :: :: :: :: ::

The language of business and of the street in America is the language of the athletic field. "Play the game," "play fair," "get into the game," "play safe," "reaching the goal," "a knockout"—such terms as these from the common parlance are taken directly from the games of the nation and convey their unmistakable meaning.

Many Americans are sentimental over baseball, their national game. When a report was recently circulated that fewer boys were playing baseball, thousands of people became disturbed. Articles and editorials were written in newspapers and magazines. The editor of one publication devoted exclusively to the promotion of public service utilities took the supposed decline of baseball so seriously that he made an exception to the policy of his paper and published a major article on the virtues of baseball and its importance to the youth of the land, with a plea for the preservation of the great American game.

Athletics are a very important part of American community life, and America cannot be fully understood without some knowledge of its games and sports.

MANY NATIONS CONTRIBUTE TO AMERICAN SPORTS

As the United States is made up of people of many nations, so the sports on its public play fields are the product of the play life of many countries. Of course, many of the inherited games have been adapted to fit the intense American spirit. In addition to the games learned from other countries, the United States has a few sports which bear so little resemblance to any known athletic activity that they may fairly be called American inventions. Such sports are baseball, everywhere known as America's chief game, basketball, invented in 1892, and playground ball, which is baseball adapted to a small area and employing a small bat and soft ball.

From Canada, the United States has learned to play hockey and soccer football, the latter being one of the most popular sports on the public fields of the country. It is a significant addition to American games because it involves team play of an impromptu order, while baseball, basketball, and football are usually carefully rehearsed campaigns in which the plays and defenses are previously mapped out.

The Scotch have given us golf. More than one hundred American cities have municipal golf courses where the citizens may play this popular game at twenty-five or fifty cents a round, or even less. The success of American competitors in international tennis has made the ancient game of French monarchs a favorite on public playgrounds in the United States. Last year, 359 new courts were opened in the country for the first time, bringing the total of public courts in 410 cities to 4,865.

English colonists brought Rugby football to America where, in the country at large, it is second only to baseball in popularity. It is played most widely in the public high schools, private secondary schools, and the colleges and universities. On municipal fields, among the youth not in school, it shares practically even honors in popularity with soccer.

Quoits, which were known in England and Scotland in the fourteenth century, have an increasing following in American cities. This is a popular sport in the public parks of California and Florida, where retired farmers and others take as keen interest in it as the youth do in baseball. The game is not limited to the elderly or to these sections, as both young and old play it, or the similar game of horseshoes, on more than a hundred municipal fields.

The winter sports of the Norwegians, Danes and Swedes, and the gymnastics of the Germans and Swedes have had an important influence on American sports. The gymnastic influence is seen in the physical education program of the American schools.

In the northern states and New England especially, winter sports, including skating, skiing, tobogganing, snowshoeing, and coasting have been widely organized under municipal auspices. New England is sometimes called the "Switzerland of America" because of its festive ice carnivals and outdoor winter play.

Water sports are universally popular throughout the United States. Inland cities, especially those not situated on lakes or rivers, have been at a disadvantage in providing for water sports until they have constructed modern indoor or outdoor swimming pools. These are rapidly increasing, 626 having been reported by 272 cities in 1924.

Organized hiking is carried on in two hundred cities. While the automobile has probably had an effect of inducing many to ride who would otherwise walk, the reaction against the restraints of city existence has stimulated an outdoor movement in America that has encouraged hiking. Most communities have places of historic interest or natural beauty to visit. Hikes for bird study and flower study are common.

Municipal sports are fostered in the United States by three public agencies, —park departments, recreation departments (commissions, bureaus, or boards) and the public schools. In this article, the first two are grouped together and discussed first.

A NATIONAL MOVEMENT FOR POPULAR RECREATION

The Playground and Recreation Association of America, organized in 1906 by Theodore Roosevelt, Jacob Riis, Luther Halsey Gulick, and others, gave encouragement to the municipal promotion of sports from the very first. In the program of the Association, which to-day numbers more than 15,000 members, athletics and sports are secondary in importance only to the promotion of recreational activities for children. Municipal recreation departments in individual cities also took up athletics at an early date. Oakland, California, was engaged in this activity in 1909 and Los Angeles prior to that date.

When the Recreation Association helps a city to establish a recreation department, one of the first items of the suggested program is the organization of athletic teams. Joseph Lee, president of the Association, said the following concerning baseball: "To teach this one game would, if we did not have it, do more to the play life of American children than all the playgrounds in the world."

An important sport developed and fostered by cities is athletics for industrial groups. Employees in one industry like to compete in baseball, soccer, football, and basketball with employees from other factories. It is thus not surprising that 237 cities reported industrial athletics last year. Detroit's automobile workers have many such teams, as do the workers in the silk mills in Paterson, New Jersey, and those in the cash register works and other industries in Dayton, Ohio.

A total of nine sports carried on under leadership by public recreation agencies, including baseball, rugby football, soccer football, basketball, volley ball, dodge ball, playground ball, quoits, and bowling comprised 33,051 teams in 1924. More than 17,500,000 persons witnessed these games.

IMPORTANCE OF TRAINED LEADERS

From the physical education departments and athletic teams of the normal schools, colleges and universities come most of the men and women who have charge of municipal athletics or school sports. The Y. M. C. A. college at Springfield, Massachusetts, and other Y. M. C. A. training schools are doing important work in training such leaders. The recruiting and training of recreation directors is also one of the chief functions of the Playground and Recreation Association of America, which maintains a school at Chicago for this purpose. The extent and quality of municipal athletics in the United States are closely linked with the increase of trained leaders imbued with high ideals of sportsmanship.

The number of employed year-round leaders of athletic programs and other public recreation activities in 1924 was 2,783. The total, including summer and other part time workers, was 15,871. These figures include only a few of the school athletic directors.

CHARACTERISTICS OF AMERICAN MUNICIPAL ATHLETICS

It is due to Joseph Lee of Boston, as much as to any other man in America, that the amateur spirit in sport is steadily developing. Mr. Lee is the author of a very important book, "Play in Education," published in 1909, and for many years has given much of his wealth and his inspiring leadership to the Playground and Recreation Association and to the recreation movement at large. In 1900 he established one of the first playgrounds in Boston. He is the author of the phrase, famous among recreation leaders, "The boy without a playground is father to the man without a job."

Due in great part to Mr. Lee's philosophy and leadership, tens of thousands of teams are playing to-day on American athletic fields without coaches and without elaborate paraphernalia, and playing just for the love of the game. Of course these young men and boys are eager to have their teams win; they would not be Americans if they did not feel that way. Doubtless some of them place too much store on winning. But it is the eagerness of the zestful player himself, and not that of the gambler or the mere spectator on the stands that inspires them.

According to Elmer G. Mitchell of the University of Michigan, a physical director and coach for many years, the American athletes are a complete composite of many nationalities, particularly the English, Irish, German and Scandinavian. The other nationalities, he says, although numerous in the United States to-day, have been too recent immigrants as yet to have affected our American personality. While a study of the personnel of city, school and college athletic teams show many Polish, Jewish and other names, just what the influence of these nationalities is on the sports in the United States cannot yet be determined.

The intensity of American athletes is an index of American society and business as a whole. Most enthusiasm is expended on games requiring team play, which is fortunate, as mutual support is demanded in such contests and individual play is subordinated to the team's success. Team work involves co-operation, self-sacrifice and loyalty, and it is chiefly these qualities that Americans have in mind when they praise the citizenship training values of athletics.

The chief problem of amateur athletics in some cities is the creeping in of the semi-professional player which some teams allow in order to increase their chances of victory. Where there is vigilance of administration, this problem is satisfactorily met.

"As an ideal athlete," says Professor Mitchell, "the American cannot yet be compared with the great athletes of ancient Greece; falling short, not from the physical standpoint, but from the spiritual. The American, to realize an ideal, must keep the game for its own sake more in mind."

ADMINISTRATION OF MUNICIPAL SPORTS

The formation of leagues in the major sports has been responsible for the steady growth in these games under the municipalities. The league contests have aroused the competitive spirit and brought the game forcibly to public attention. Athletics for juniors are usually administered directly by the city recreation superintendent or recreation heads and park departments. For adult players, especially in the larger cities, associations are organized under the supervision of the city recreation directors, who advise in and sometimes control matters of policy, the committee handling the details. Umpires and referees are usually paid, even among the junior leagues. Many cities provide seating facilities for spectators and dressing rooms and shower baths for the players.

A team wishing to use a public field or gymnasium secures a permit from the playground or park officials, preference for using permits being given league teams. Practically no cities make a charge for the use of baseball, soccer or football fields, although usually a small fee is required for golf and, occasionally, for tennis.

The fields are maintained by the municipalities. All uniforms, balls and other equipment for individual players are furnished by the players themselves in adult leagues. Some of the equipment of junior leagues, not including uniforms, however, is furnished by the municipality.

SPORTS IN THE PUBLIC SCHOOLS

In 1903 Luther Halsey Gulick, a founder of a number of forward-looking recreational movements in the United States, inspired the organization of the Public Schools Athletic League of New York City. This league is recognized as the beginning of the widespread athletic development among high schools and elementary schools in the country. The declared purpose of the league was "to provide healthful, joyous and constructive play, folk dancing, and athletics for every boy and girl."

By 1910 such leagues had been formally organized in Baltimore, Birmingham (Alabama), Buffalo, Cincinnati, Cleveland, Fitchburg (Massachusetts), Kansas City (Missouri), Newark (New Jersey), New Orleans, New York City, Pittsburgh, Racine (Wisconsin), San Francisco, Schenectady (New York), Seattle, Springfield (Massachusetts), Tacoma (Washington), and Troy (New

York). Since then the leagues have been organized in many schools. They were begun usually by volunteer organizations of school men and citizens dealing first with a few school children in an experimental way; then were extended to large numbers, and finally were recognized by school authorities.

The principle of sports for sport's sake is held uppermost by these organizations. Class athletics are promoted for the making of records by the class as a whole, rather than by individual players, and athletic badge tests are often an important part of the program. The public school athletic leagues supplement the departments of physical education existing in most schools. The departments of physical education are responsible for the minimum physical training considered essential for the school children, while the athletic leagues and similar supplementary athletic organizations connected with the schools go further and organize athletic meets, play festivals, and other sports in after school hours. The leagues are supported in part by private donations. They operate with the sanction and under the supervision of the school authorities.

STATE PHYSICAL EDUCATION LAWS

Thirty-three states have physical education laws which are partly responsible for the development of sports under school auspices. Such legislation has been fostered by the National Physical Education Service established in 1918 as a department of the Playground and Recreation Association of America. Sixteen states have state directors of physical education. While at the outset there was a tendency to emphasize formal gymnastics, the trend to-day is to substitute for such drills natural games and athletics, except where physical defects require corrective exercises.

In a few cities like Oakland and Berkeley, California, the municipal superintendent of recreation has charge not only of the community recreation program but also of school playgrounds and physical education in the schools. In most cities, however, the school sports are supervised by the physical education department of the school in co-operation with the school athletic associations or public school athletic leagues.

SCHOOL PROGRAM OF GAMES

The sports sanctioned by the Philadelphia public schools may be taken as an example of the approved games under school auspices. These are:

For high schools—boys' activities: baseball, basketball, cross-country run, football, golf, hockey, soccer, swimming, tennis, track and field; girls' activities: baseball, basketball, captain ball, hockey, soccer, swimming, tennis track and field sports, volley ball.

For junior high and continuation schools—boys' and girls' activities: baseball, basketball, captain ball, hockey, soccer, swimming, tennis, track and field sports, volley ball.

For elementary schools—boys' and girls' activities: baseball, captain ball, dodge ball, end ball, soccer, swimming, track and field sports, and volley ball.

In Philadelphia, all athletics are under the supervision of a supervisory committee on athletics composed of faculty representatives. There is a director of physical education and special supervisors of boys' and girls' sports, who have charge of the games. The aims of the supervision of the Philadelphia schools are:

1. To make play and games agents for the social, moral, mental and physical improvement of all concerned.

2. To make self-control, self-reliance and fixed determination primary objects to be gained by the individual

members of the groups in inter-group competition.

3. To develop inter-group and inter-school contests with less regard for their public and spectacular features, and with more regard for their value in expressing inter-group and inter-school consciousness and spirit.

4. To encourage the development of activities that shall reach the greatest possible number.

5. To protect school sports from professional and commercial influences.

6. To build up rational play sentiments, habits and traditions.

STATE HIGH SCHOOL ATHLETIC ASSOCIATIONS

In 1917 Jacob Gimble of Vincennes, Indiana, with the approval of the high school officials, established a prize to be awarded to the boy among the teams competing in the Indiana state basketball tourney who showed the best "mental attitude" throughout the competition. Mr. Gimble did not have in mind the skill of any boy of any team but rather the qualities that belong to a real gentleman.

This annual award is an illustration of the purpose of the state high school or scholastic athletic associations in Indiana, Illinois, New York, New Jersey and other states. They exist to promote good sportsmanship in athletics and to conduct championship contests among the schools. In New York the state supervisor of physical education of the state department of education is the president ex officio of the association. In New Jersey the association includes private and secondary schools. Sectional and state tournaments in basketball, track meets and other contests are held. In New York State championship contests were held last year in the following sports: track and field events, basketball, skating and cross-country runs. The state associations have elaborate rules governing the eligibility and true amateur status of the competitors and careful regulations as to the actual conduct of the games.

ATHLETICS FOR GIRLS

The participation of women athletes in international Olympic games in 1922 brought to light the pronounced division of opinion and practice in America regarding the engaging of girls in athletic sports. At one extreme is the group who think girls are physically and nervously unfitted for athletics—at the other, those who believe girls may engage in the same sports as boys with all the attendant publicity that goes with inter-city, national and international competitions.

The largest group, however, holds a position midway between these two, believing in athletics for girls of a mass character under women directors, with the competitive element present but free from the exploitation, objectionable publicity, and the physical and mental strain that go with championship contests. This middle ground is taken by the great majority of public recreation officials, public school physical directors and coaches, and those in charge of athletics in women's colleges. Rarely are there inter-city athletic activities for women or girls fostered by schools or city recreation commissions.

The aim in municipal athletics for girls and women is to have as many individuals take part as possible and to have girls participate only after careful physical examination and a rational selection of types of athletic activities. The majority of physical and recreation directors in the United States oppose the participation of American women in national and international athletic competitions, including the Olympic games.

SELECTED SPORTS FOR GIRLS

Because of the physiological differences between boys and girls, most physical educators limit the athletic sports for girls to the less strenuous games. Dr. Jesse F. Williams of the Physical Education Department of Columbia gives the following table showing what sports and games are best suited for girls of intermediate and high school age, in the opinion of thirty-six physical directors. In the table which follows, the relative values of the games are graded on a scale of ten:

1. Hiking	9.75
2. Swimming	9.71
3. Tennis	8.9
4. Indoor baseball	7.5
5. Volley ball	7.4
6. Basketball (girls' rules)	7.2
7. Handball	7.1
8. Golf	7.0
9. Field hockey	6.6
10. Bowling	6.4
11. Center ball	6.1
12. Fifty-yard dash	5.8
13. Hurdle races	4.8

Many conservative physical directors add to these ice hockey, soccer and outdoor baseball.

VALUES OF AMATEUR SPORTS

Athletics are recognized in the United States as an essential phase of physical, social and moral education. When well directed, they build wholesome inter-group feeling and co-operation. While benefitting health, it is primarily the value educationally and socially on which civic leaders and teachers place chief store. In the mental field, judgment, will power, accuracy, alertness, and quick reaction are taught in games; in the moral, loyalty, courage, honesty, team work, fair play, self-control, self-reliance, and other virtues are involved.

Careful studies made in many cities show that well-led athletics and playground activities reduce juvenile delinquency and crime.

FUTURE OF MUNICIPAL SPORTS

Although moving in the right direction in their tendencies towards true amateurism, athletics in America need to show more of the love of the game for the game's sake. Sometimes, the intense desire for victory results in the spirit of winning at any cost. All evidence, however, points to a decline in this spirit as leadership and facilities for sports are more widely supplied by the cities and as the diversity of sports increases.

Widespread as sports are among the youth of America, all too few persons in middle life and advanced years take time for games. This lack, too, is gradually being met by cities through the organization of such public sports as are suited to older people, including golf, tennis, quoits, water sports, lawn bowls and camping. The great increase in park acreage in American cities in the last twenty-five years is an encouragement to sports for adults. The policy of the federal and of state governments toward co-operation with municipalities in providing camp sites in parks and government forests brings camping experience to thousands of people. The almost universal use of the automobile encourages outdoor sports by making the outdoors most easily accessible.

The movement for municipal and other types of recreation has received impetus through the encouragement of President Coolidge in organizing the national Conference on Outdoor Recreation. At its first session he said: "I want to see all Americans have a reasonable amount of leisure. Then I want to see them educated to use such leisure for their own enjoyment and betterment and the strengthening of the quality of their citizenship."

Sports and the outdoor life in the United States are a part of the national heritage, and their decline would be a national calamity. There is no threat of decline, however, but rather a brilliant promise of increased expansion until every community has its play fields and its play leaders. The growth of sports in America is a part of the larger movement which is today making American cities and towns truly livable communities.

INTERNATIONAL MUNICIPAL CO-OPERATION

BY CLINTON ROGERS WOODRUFF

Mr. Woodruff discusses two international meetings on municipal problems and co-operation. :: :: :: :: :: :: ::

Two events of interest to students of municipal affairs will occur in Europe this autumn. The first is the meeting in Paris of the Union Internationale des Villes et Communes. The other is the discussion at the Sixth Assembly of the League of Nations at Geneva of a report prepared by the League's Secretariat on the possibility of the maintenance of direct relations between the important cities of the world. This latter movement was described in the January (1925) issue of the NATIONAL MUNICIPAL REVIEW by Dr. Charles A. Beard as "A World Bureau of Municipal Research."

These two events will have to be studied in connection with the effort of the Pan-American cities to establish closer relationships for their common benefit. As a matter of fact the League of Nations project was a direct outcome of this Pan-American effort, as Dr. Beard has pointed out and as the elaborate report of the League of Nations sets forth in considerable detail.

The Paris meeting of the International Union, whose Secretary, M. Emile Vinck of Brussels, paid a much appreciated visit to Canada and the United States during the past summer, will be the third it has thus far held. On the agenda of this meeting, besides the reports concerning the international and the national municipal unions, there are three questions which have outstanding interest for American students: (1) Municipal local autonomy—results of an international inquiry. (2) How local authorities can help to solve the housing problem by having a land policy. (3) How difficulties have been solved in the big centers of the world,—difficulties arising from the autonomous coexistence of adjacent local authorities (consolidation, co-operation, sectional systems, etc.).

Important capital cities will be represented including London, Amsterdam, the Hague, Brussels, Vienna, Rome, Madrid, Lisbon, Constantinople, Athens, Alexandria, Helsingfors, Tokyo, Berne, Budapest, Prague, Warsaw, Bucharest, Montreal, Havana. Our own Washington, as usual, does not seem to have made any preparations to be represented. Is that because its officials feel that they have nothing to learn or gain by attendance, or is there a conviction that this particular effort lacks practicality and feasibility? If the latter, ought there not to be some formal statement of policy?

Washington cannot be said to be wholly unmindful of the need for conference and of the benefit to be derived from an exchange of views and experiences. Last spring a most suggestive conference was held there on the subject of "A Conference on Capital Cities." It was conducted under the auspices of the Washington Committee on the Federal City of the American Civic Association. Coming as it did at the time of the visit of the delegates of the International Town Planning Conference, this conference attracted widespread interest. Among the speakers were Dr. Leo S. Rowe, the Director-General of the Pan-American Union; the Ambassador of Chili; the Ambassador of Mexico; the Minister of Guatemala; George B. Ford, President of the National City Planning Conference; Frederic A. Delano; Ebenezer Howard, of England; Raymond Unwin, the chief architect of the British Ministry of Health; Charles Moore, who has done so much for the town planning of Washington; and various delegates to the International Conference from European countries. During the conference an interesting exhibition of town planning work in Central and South America was displayed at the Pan-American Union Building and the conference ended with a trip around Washington in which the delegates saw characteristic problems which confront that city in its future development.

So far as I am advised, however, there was no reference at this meeting either to the Paris meeting or to the League of Nations undertaking. So the question again comes up as to whether there is a settled policy being followed out or whether it is mere indifference.

English municipal officials adopted a far different course. As a preliminary to the Paris meeting a conference was held in Brighton, England, between the General Council of the International Union of cities and representatives of the Associations of Local Authorities in Great Britain. This Brighton meeting arose out of the Congress of the International Union held at Amsterdam last year. The representatives of the Brighton Corporation, who attended that Congress, realizing the possible importance of the movement represented by the International Union and thought it extremely desirable that England should take part in it. It was recognized, however, that whereas the national unions in other countries, which are affiliated to the International Union are organized for the purpose of collecting and disseminating information and generally represent local authorities of all types, the associations of local authorities in England stood on a somewhat different footing.

In order to see whether some arrangement could not be made by which the local authorities in England could be linked up with the national unions of other countries, the Brighton Corporation had the happy thought of inviting the Committee of the International Union to meet representatives of the various associations of local authorities in the United Kingdom.

The Association of Municipal Corporations, the County Councils' Association, and the Urban and Rural District Councils' Associations were among the bodies which accepted the invitation to be represented at Brighton. These it will be recognized represent specialized undertakings and differ from the state unions of municipalities in the United States and Canada, and although through the influence of Secretary

Vinck they will give their support to the International Union, there will remain a difficult problem to solve, namely, the finding of a common denominator for the sundry types of national, sectional and technical bodies which exist in the various nations. M. Vinck reported the interest of Germany in the Conference and pointed out that, as in England, there were four national or federal unions of varying types and that each of these could be recognized as a national union for the purpose of membership in the International Union. During his recent visit to Canada and the United States he succeeded in arousing a considerable amount of interest among such organizations as are devoted to a consideration of municipal affairs. He found, however, a very different state of affairs than exists in either England or Germany. Therefore, whether there will be as large a measure of co-operation on this side of the Atlantic, remains to be seen.

According to the report submitted to the Secretariat of the League of Nations the international organizations already in existence which deal with municipal problems are the following:

1. Union Internationale des Villes et Communes;
2. Commission Permanente des Congrès Internationaux des Sciences Administratives;
3. International Fédération for Town and Country Planning and Garden Cities;
4. Permanent International Association of Road Congresses;
5. Comité Permanente des Congrès Internationaux des Habitations à Bon Marché;
6. Union Internationale de Tramways, de Chemins de Fer d'Intérêt Local, et de Transports Publics Automobiles;
7. Association Générale des Hygienistes et Techniciens Municipaux.

Of these, the Union Internationale des Villes et Communes is the only organization which deals with municipal questions in general, while all others treat some particular aspect of the municipal problems. The International Labour Office has also established relations with this organization concerning certain research work of a scientific character, on the one hand, and the exchange of information, on the other. The chief aim of the International Union is to establish a permanent documentary centre of municipal information. It publishes the *Tablettes Documentaires Municipales* as a bimonthly organ of analytical bibliography of the principal works or articles relating to construction or administration of cities and communities. Its independent publication and publication in other languages than French is under consideration.

This report of the League of Nations points out that in the International Union there already exists an international organization which has a comprehensive program for the promotion of the objects which the Assembly has in view. It may be asked whether, in view of the existence of this organization and of the other organizations mentioned in the annex, the programs of which is in some respects ancillary to that of the International Union, it is desirable that the League should concern itself directly, by the institution of a new organization or otherwise, in the promotion of international municipal co-operation. It says: "It should be remembered that, amongst the varied activities in which municipalities engage, there are some in which the League has already promoted co-operation between governments. The health activities of the League are a case in point. In this domain the League has in some cases established relations with municipalities, but these are merely incidental to the central function of the International Health Organization, which, like the other organs of the League, is to promote co-operation between governments. It is clearly undesirable that the League should duplicate its work by parallel operations through governments and municipalities, and it would seem that the only domain in which international municipal co-operation could be effected without duplicating in some way other international activities is that of purely technical municipal business."

It will be seen from this summary that a number of interesting questions arise which will require mature thought and deliberation. So far as advised, the United States will not be represented *officially* at Paris or Geneva nor will its several national organizations, although a few of their leading officials will be in attendance. So there is no way of ascertaining what the American official attitude is. Thus far America has not solved the problem for her 48 states nor Canada for her 9 provinces. Can the 52 or more nations of the world do what a single nation has not succeeded in doing or a single dominion of the British Empire?

If a thoroughgoing World Bureau of Municipal Research could be established at Geneva to correlate the immense mass of documentary material along the lines indicated by Dr. Beard that would be magnificent; but is it feasible, when we bear in mind that not a single American organization is officially on record as showing the slightest interest in the subject?

Beard says, "Let those who can take thought about it"; but to date what evidence is there that there is even slight interest in the mere events, not to mention interest in promoting the undertaking?

BIRMINGHAM'S STRUGGLE WITH COMMISSION GOVERNMENT

BY HARRISON A. TREXLER
Birmingham-Southern College

A brief commentary on commission government in Alabama's metropolis. :: :: :: :: :: :: :: :: :: ::

WITHIN the last twenty years Birmingham has shifted from the old mayor and federal council form of municipal administration to a three-commissioner plan, thence to the present five-commissioner system, and next year back to the three-commissioner scheme, thanks to the wisdom of the rural solons in the legislature. Such has been the hesitant political evolution of Alabama's metropolis within a score of years. The process has been a typical policy of "muddling through."

Birmingham has had the experience of many of our cities which have followed the empirical method of reaching the utopia of municipal perfection. Disgusted with decades of saloon politics under the mayor and council form the citizens grasped at anything that promised betterment. After ineffectively experimenting with the commission plan under various garbs there is now a somewhat active demand on the part of the "old guard" for a return to the glories of the mayor and council, and on the part of the reformers for a fling with the manager scheme.

At present Birmingham's problems are critical. For a municipality of a quarter of a million she is remiss in the matters of paving, sewerage, lighting, and police protection. Her park system is very inadequate. The city hall recently burned and with it the public library, which was almost a total loss. Within the next ten years many millions must be spent by the city administration.

Birmingham is a railway center but has only two or three viaducts. The municipality is wrangling with the roads over crossings where accidents are numerous, as some of the main lines cut the city in half. Injunctions and recriminations are the order of the day.

To protect the property holders against manufacturing plants and corner groceries which tend to spring up promiscuously about the city and to restrict the negroes to certain districts, the commission has initiated a very ambitious zoning system. But that the zoning committee can anticipate or even keep pace with the phenomenal building operations in both business and residential sections seems doubtful.

Our present commission is composed of five very respectable citizens, four men and one woman. All five are high-minded and none of them are politicians of the older type. A couple of them are college men and they obviously endeavor to live up to their ideals, which are unquestionably high.

But for just causes or otherwise the abilities of the commissioners are impugned. They are accused of being little fellows in big jobs. It is said that they are not up to the standards of men who receive their salaries, the president receiving $6,000 and his colleagues $5,000 each.

They are also charged with "playing politics" and of opposing one another for political effect. There seems to be merit in this accusation. Some weeks ago one of the clerks in the comptroller's office was sentenced for peculation and his chief was tried, but not convicted, for the embezzlement of some fifty thousand dollars. At any rate such a sum is missing. The president of the commission, under whose department these men were employed, asked his fellow commissioners to provide for the appointment of a cashier who would alone be responsible for all city funds, the present system allowing three different officials to come in contact with the treasury. A majority of the commission flatly refused to grant this obviously just request, charging the president with "passing the buck" and "fourflushing."

Again, it is freely bruited about that the commissioners are wrongly placed. An ex-school principal is in charge of the street department and an ex-labor leader manages the municipal market, auditorium, and other utilities.

Various commissioners are accused of playing up to labor and Ku Klux influences. But at least no one charges them with complacency toward bootleggers or grafters. The commission has never been attacked as guilty of those grosser forms of dishonesty which conventionally adhere to the reputations of many city officials.

But to such an extent has pessimism affected our citizens that certain parties sought an injunction a few days ago to prevent the commissioners from building the new city hall and library. In one of my college classes the students were asked what they thought of the commission form of municipal government. The common answer, doubtless gleaned from newspaper comments, was very caustic. One budding citizen exclaimed, "It's the bunk here in Birmingham."

That a scheme of administration which has been so beneficial to American civic life should be held in such low esteem is regrettable. But it is human nature to generalize upon insufficient local data.

However, the entire cloud of our political horizon is not black. The silver lining is the development of an active political consciousness. The old line politicians of course long for the fleshpots of the Egypt wherein the mayor and council flourished and dispensed largess to faithful and hungry henchmen. On the other hand one of our daily papers has thrown out timely and pertinent suggestions that the manager plan be considered. This nascent propaganda will be nurtured by the recent additions of Cleveland, Kansas City, and Cincinnati to the growing army of manager governed municipalities.

The majority of citizens with whom I have talked are at least skeptical of the efficacy of the commission plan. But as to remedies their convictions are not yet matured.

SOUNDNESS OF BOSTON CHARTER DEMONSTRATED BY FIFTEEN YEARS' EXPERIENCE

BY NATHAN MATTHEWS

Former Mayor of Boston

The strong mayor, small council, state finance commission—all were pioneer projects when adopted by Boston in 1909. :: :: ::

In Boston we begin with a formal city charter, adopted in 1854. This has been modified by innumerable later statutes, the most important dating from 1885, 1890 and 1916. Then in 1909 there was a comprehensive revision of the fundamental basis, both political and administrative, of the city government; and the political features of this charter have been modified several times since, the latest change having been effected at the election of November 4, 1924.

The charter of 1854 was of the ordinary American bicameral type, with virtually all executive as well as legislative power vested in the city council subject to a qualified veto power in the mayor. The legislation of 1885 vested the executive powers of the city in the mayor and transferred the police to the control of the state government. The act of 1916 compelled the construction of new school houses out of taxes. The debt and tax limit laws affecting the city have also been altered from time to time. In the main, however, the city government of Boston has been administered during the past fifteen years under the so-called charter amendments of 1909; and in view of the rapid changes that are now taking place in our American ideas of government fifteen years is a long time for any thorough-going reform to endure without modification of its essential features. The time has also been long enough to enable us to determine the results of this experiment in municipal administration, and to make a fair comparison possible with what has taken place in other cities during the same period.

The political features of this charter of 1909 related to the term of office of the mayor, which was made longer, and to the composition of the city council, which was reduced to a single body of nine councilmen, elected at large. This council functioned fairly well for ten years, but the incapacity displayed during the past five years led to the substitution of a council consisting of one member from each of the twenty-six wards into which the city is divided. Time alone will disclose whether this change will secure a better city council. Personally I am extremely skeptical, and should have preferred to retain the small council elected at large, but under some well-devised plan of proportional representation.

The most important changes effected by the charter amendments of 1909 were administrative and financial. This charter constituted one of the most radical and thoroughgoing reforms in municipal administration ever attempted in this country; and the entire scheme, both principles and details, has remained intact.

FINANCIAL CHANGES—THE FINANCE COMMISSION

The main financial changes effected by the act of 1909 were that the mayor was given an absolute veto power over all orders passed by the city council except those relating to its own internal affairs; and not only the absolute right to veto a loan bill in its entirety, but to veto any of the items in a loan bill or reduce them. Loan bills could originate either with the mayor or the city council, but each was given full concurrent power over loans and items. The annual appropriation bill, that is the order fixing current expenditures for the year out of taxes and income, must originate with the mayor, the city council having power to reduce or eliminate an item, but no power to increase an item or to add new items. This plan was a drastic and revolutionary reform, borrowed partly from Europe. It will be observed that both the mayor and the city council have full concurrent power over all expenditures; and there is no foundation for the unthinking criticism that the Boston charter deprives the city council of opportunities or incentives to work. The proper discharge of the concurrent power vested in the city council over all appropriations and loans ought to occupy as much of the time of each member of the city council as the public can fairly expect them to devote to the duties of his office. If, as has unfortunately been the case, members of the city council have disregarded these duties and opportunities, it is not the fault of the charter, but of the councilmen themselves and the voters who have retained them in office. These financial reforms constitute, you will observe, a complete system of checks and balances upon the expenditure of municipal money. None of the individual ideas were original, but the combination is I believe original.

In addition to these financial changes the new charter contained an entirely new idea based upon the experience of the finance commission itself. This was that there should be a perpetual finance commission appointed by the state and having no administrative powers, but the duty of inspection, investigation and publicity. I have always regarded this plan as one of the most effective measures ever devised for checking the more obvious forms of graft and the more scandalous extravagance that city governments if left to themselves are apt to indulge in.

RESULTS UNDER THE 1909 PLAN

Now for the results. As I said before, a scheme of political administration which has been in operation for fifteen years has been tried so long that we ought to be able to determine whether on the whole it has worked well or ill; and the answer to this question can best be secured by taking in the first place the actual results obtained in the particular city in question, and then by instituting a comparison, so far as accurate figures can be found, with other cities of comparable size.

Let us consider first the experience of Boston, taken by itself. In 1909 the tax rate was $16.50. For the past three years, including the year, 1924, the rate has been $24.70, an increase of almost exactly 50 per cent. On September 30, 1909 the total net debt of the city and county was $74,175,715, while on Sept. 30, 1924, it was $82,796,088, an increase of $8,620,373 or 11.6 per cent. These figures include the amounts borrowed for rapid transit purposes. If we exclude the debt incurred in connection with the subway system, which is peculiar to this city, we shall find that the net debt of the city and county was $59,675,958 on Sept. 30, 1909, while fifteen years later it was only $49,162,723, a decrease of $10,513,235 or 21.3 per cent. There are under way at the present time a number of street improvements for which loans have been authorized but not issued, so that we can fairly expect an increase in the debt for ordinary municipal purposes; but in all probability not enough to wipe out the gain of $10,500,000 that has been made in the past fifteen years.

Let us now see if we can determine what has happened in other cities fairly comparable in size which have been operating during the past fifteen years under the old fashioned type of American city charter, modified more or less, but not in the direction taken in this city. The American people are a spendthrift nation, both as individuals and when organized as municipal corporations; and as late as 1909 when the present charter was adopted Boston led all the other large cities in the country in the race for extravagance. Taking for comparison the eleven other cities in this country having in 1922—the latest date for which figures have been published by the department of Commerce—a population of over 500,000, and taking the amount of total expenditure per capita and the amount of net per capita as furnishing on the whole the best basis for comparison, it appears that Boston had in 1909 with one exception the largest per capita net debt and spent more money per capita than any of the others. It was these facts, and the exposure of the methods which made them possible, that led to the reforms of 1909.

COMPARISON WITH OTHER CITIES—MODERATE INCREASE IN TAXES

Now, in 1922, these other eleven cities had increased their expenditures on the average from $18.18 per capita in 1909 to $43.75 in 1922, an increase of $25.57 or 140 per cent, and had increased their average net debt from $54 per capita to $106, or 96 per cent; whereas in the city of Boston the total expenditure increased from $34.85 to $57.94 per capita or only 66 per cent, while there has been no increase at all in the net per capita debt including rapid transit loans. It was $110.68 in 1909 and $110.76 in 1922. This increase of 66 per cent in expenditure and of nothing at all in debt contrasts with an increase of 140 per cent in expenditures and 96 per cent in debt for the average of the other eleven cities of similar or greater size in the United States. It can be said, of course, that the different cities are differently situated with respect to the necessity for large expenditures and loans; but this argument is usually put forward as an excuse for extravagance in individual cases. Taken by and large and including the results achieved in all the cities of this country that are fairly comparable with ours, there can be but one interpretation of the figures that I have given you. That is that the Boston type of city charter has, in comparison with other forms of municipal government obtaining in this country, worked enormously to the financial advantage of the people of this community. When we consider that the period in question covers the World War and the great increase in costs which followed it, it is obvious that the results obtained in this city out of the charter amendments of 1909, financial, administrative and informative, have been far better than those obtained in any other large city in this country; and I doubt very much if any large city in the world can show as small an increase in indebtedness during this period as has been the case in Boston.

We ought not to ignore the many extravagant and unnecessary expenditures of the past fifteen years, nor can we close our eyes to the scandals that have been exposed from time to time by the finance commission; but notwithstanding all this, the fact remains that the increase in annual expenditures has been much less than in other large cities and that Boston can stand almost alone upon practically the same debt as fifteen years ago. When we note what has been going on in these other cities no impartial observer can deny that the difference between the financial conditions of Boston and that of the other cities is due to the adoption here and here alone of the financial changes of 1909, and to the work of the finance commission. The small city council elected at large has also, in my opinion, had a favorable effect upon the finances of the city.

LODGE MADE CHARTER POSSIBLE

I want to close with a few thoughts of a political nature. The framing of this charter was a purely non-partisan work; but getting it through the legislature was a task of a wholly different order. The community at large, stirred up by the revelations made by the commission, was willing to accept our conclusions, and we had the support of citizen committees from all parts of the state. The welfare of the commonwealth was felt to be dependent in great measure on the financial integrity of its principal city. But it proved to be a very difficult thing to secure the necessary votes in the state legislature. The reforms urged were without precedent in the political history of this country. There was a natural reluctance on the part of the legislature to rely on our predictions of the results to be expected, and there was the most violent opposition on the part of the politicians who owed their political and financial welfare to the system we sought to abolish. I gave about three months of my time to conferences with the joint committee of the legislature to whom our report had been referred, and although we had at all times a majority of this committee the opposition in the senate and house was so strong that it began to look as if we should lose the bill unless we were willing to agree to some sort of a compromise charter. This we were urged to do by the Chamber of Commerce; but the compromises offered were such as to devitalize the essentially simple though entirely new reform that we proposed, and we refused to listen to them. The result was a deadlock.

It occurred to me that the situation

warranted an appeal to Senator Lodge,—the ablest man in public life of my generation and acquaintance; and although seldom in agreement with him on the purely partisan issues in state and national politics, I felt that in this emergency his powerful aid could probably be secured and would prove effective. In this we were not disappointed. Mr. Lodge came to Boston, studied the problem for a week or so, and then induced his party associates in the legislature to support the plan of the finance commission. It was then passed, without the change of an idea or important word, by what was practically a party vote. I have frequently referred to this great service rendered by Senator Lodge to the cause of good government in Boston. His record as a statesman will be part of the history of Massachusetts. I want to be sure that in that record is incorporated the service given to the people of this community fifteen years ago in their efforts to secure the present city charter.[1]

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[1] The figures used in the foregoing paper were based upon the latest information available in the autumn of 1924. A year has since elapsed and while no figures are at the present moment available for a comparison, as of the present time, between Boston and other cities, it is possible to give the figures for the city of Boston debt as they stood September 30, 1925.

Comparing the net debt on September 30, 1925, with the figures for September 30, 1909, we find that including the rapid transit loans there was an increase from $74,175,715 to $86,382,716 or 16½ per cent; while if we exclude the rapid transit debt there was a decrease from $59,675,958 to $51,201,783 or 14 per cent. The increase in the last year of $3,586,628 in the total net debt and of $2,039,060 in the net debt exclusive of the rapid transit loans, is due to extensive street improvements authorized (in some cases unwisely, as the writer believes) by the legislature, and was predicted in the above paper.

If some one will undertake to make a fresh comparison between Boston and other comparable cities, he will find, I think, that the result will be as favorable to the Boston system as that of a year ago.

OCEAN CITY DEFEATS THE MANAGER PLAN

BY JOSEPH McGOLDRICK
Columbia University

Realtors find scheme has advertising value. An extravagant whirlwind campaign. Defeat at the hands of the "clam-diggers." :: :: ::

Ocean City occupies a small island midway between Atlantic City and Cape May, but somewhat nearer to the former. Its appeal is also rather midway between the rolicking hilarity of the former and the genteel refinement of the latter. Its realtors have called it "The Family Resort." Its population in fall, winter and spring is 6,000; between the Fourth of July and Labor Day it frequently reaches 60,000.

The island was purchased some fifty-two years ago for $7,000 for a Methodist camp meeting ground. To-day its assessed valuations total twenty five million and real values are probably double that. But the hand of its founder has not been wholly relaxed. Into the deeds of the entire island is written a stipulation that any property devoted to the sale of liquor or other forms of wickedness shall revert to their society, so that present real estate values have considerably lightened the work of the local W. C. T. U.

A LITTLE RESORT WITH BIG IDEAS

This little resort, the vacation ground for many good middle class families of Philadelphia, has had a rapidly augmented prosperity for the last few years accompanied by increased property values. Local real estate men, many of whom operate in Florida during the winter, saw visions of equal prosperity here. Florida became more than ever their model. Florida's success was due to stintless advertising so they bought a huge "Publicity Bus" and besides several shorter trips sent a large delegation of influential local men to Florida which very likely will be repeated again this year. At a recent session of the Chamber of Commerce a small group of men in half an hour raised $40,000 to advertise the town this winter.

Perhaps because of suggestions growing out of this trip, perhaps because of its suspected publicity value, or perhaps for reasons which will be suggested later, a small and wealthy group of real estate promoters seized upon the idea of having Ocean City adopt the city manager form of government. Not that the city was being badly or extravagantly governed. Indeed, it had, at least superficially, so much the appearance of being well-governed as to make it hard to convince the voters that a change would improve things. As for expenditures, this group complained not of waste but of "penny-pinching." Most governmental changes succeed when times are bad. These men daringly proposed a change during the greatest boom in the city's history.

Having resolved to bring this blessing upon their city, the leaders of the movement went about it with a spontaneity and generous abandon which only a genuine realtor can equal. The group assumed the name of the "Committee of 100." Actually during the entire campaign less than sixty persons could be gotten to sign the roster in spite of earnest efforts to complete the list and the number actively identified with the movement was certainly not more than twenty-five. Of these all but perhaps two or three were realtors and not even these were free from real estate speculation.

DOING THINGS IN A LARGE WAY

Without waiting to complete its organization or the arrival of a director who, in the person of the writer, was summoned to take charge, the Committee of 100 launched its campaign. A conspicuous three-story building on the principal street was selected as a headquarters. The exterior was covered with banners and flags and the whole was flooded with electric lights which were kept burning all night until neighbors opposite complained, then it was agreed to extinguish them at one o'clock. A huge and costly banner was strung across the street. The interior was no less handsomely outfitted. Six desks, two large oak tables, two type-writers, a file cabinet, all brand new together with chairs, some of them leather upholstered, water cooler, pencil sharpener and eight brass spitoons comprised the equipment and filled the offices. The total salary bill of the staff, which included various directors, office manager, two typists, and sundry canvassers, for the campaign which lasted not quite six weeks was $3,190.

The canvassers were college youths of whom but one was a voter in the place. They were hired to circulate the petition calling for the special election and paid $10 a day, in all $800. The law requires signers equal to 15 per cent of the number voting at the last election; more than twice that number, almost 900 names were secured. This system had some merit. Rightly worked out it would have been of great educational value. The group met each morning with the director and the office manager discussing the previous days problems and receiving instruction. The boys were intelligent and eager and became quite well informed. But their youth deprived their arguments of much of their proper weight and the extravagance of such a procedure, which brought the cost per signature (exclusive of overhead which would have doubled it) to one dollar a name, unquestionably did more harm than good.

AN INOPPORTUNE SEASON

The movement was initiated at the very height of the resort's rather short season, when the people, including many of the organizers of the campaign, were too busy to bother with it. The election came during the reaction which follows the abrupt close of this busy season. No carefully planned educational work was done among the women voters. The meetings held were poorly attended and even the hiring of the local band, at $500 for five performances including parades, failed to fill the meeting hall.

In the preparation of "literature" there was no co-ordination or fixity of policy. Many of the "ads" read more like real estate prospectuses but the only alternative to this was expositions of the act and the merits of the plan elsewhere, or in the abstract, which however lucidly written could scarcely provoke a very intense enthusiasm. In the quantity of circulars or letters distributed by mail or hand there was likewise absence of restraint. The same was true of the amount of newspaper advertising. At least a page and one-half was taken in every issue of the two papers, a weekly and a semiweekly. The bill of the former amounted to $1,086. This paper, which was the mouthpiece of the manager group was given in addition the aid of a special writer to handle the campaign news and editorials whose services cost over $1,000.

THE "CLAM-DIGGERS"

The realtors played too prominent a part in the campaign and conducted it much in the manner in which they would customarily appeal to their own prospects. But the actual voters of the city were of a quite different sort. Many of the Chamber of Commerce group do not vote in the place at all. The small business men appear to have supported it, though they hesitated to come out openly on it. The great bulk of the voters belong to a class which the realtors call "clam-diggers." During the short season they work as mechanics. Some of them take boarders and the rest rent their homes during the summer and live on the back bay. In winter when work is generally scarce except as building offers it, they live frugally on their summer earnings and clams.

Such folks have little money. Increased realty values help them little for they are in no position to sell. It means for them rather increased taxes with no associated increase in capacity to meet them. Perhaps they underestimate this last. But they are unprogressive. The alert younger generation goes off to the city. The enterprising or more prosperous business people endeavor to follow the resort business to the south in winter. The stay-at-homes are old-fashioned, wary, sometimes sullen. Perhaps it is envy of the immense speculative fortunes the realtors tell of. Certainly they would not be strongly appealed to by the first of the series of Committee of 100 letters mailed to them containing the word "business" ten times. They might resent a full-page "ad" of pictures of unsightly parts of Ocean City which the Committee of 100 thought should be cleaned up and beautified. They are more likely to feel that the kind of government which this committee was advocating would bring with it the same lavish use of their tax money, which the committee was now making of its own.

AN INVISIBLE OPPOSITION

Against the committee's blind and headlong folly no opposition appeared. But covertly it worked silently and ceaselessly. It was, of course, the political machine, the men who play their politics all year round, who do not have to be solicited to give turkeys or geese or a little money at Christmas even though the election is eleven months away. These men know the voters. They are liked by them. When the 100 tried to create a precinct organization it found that it was actually unable to get anyone who knew the voters in the southern ward. The organization had another advantage. The filing of the petition gave them a list to work upon.

They had little money. They paid for one small "ad" and a letter sent to a carefully selected list. The rest was done by word of mouth. The Committee of 100 fearing to antagonize the group in power and their friends avoided all reference to incompetence and corruption in the existing administration though they had what appeared to be reliable information that $40,000 of $200,000 appropriated for street paving had gone to the city engineer in fees and that only $3,000 of a $20,000 appropriation for advertising could be accounted for. Their opponents, thus protected, by no means returned the courtesy. Theirs was not a gentle campaign.

RUMORS AND FEARS

They pointed to the fact that among those prominent in the movement were the owners of the city's water works and sewage system who had been defeated on the proposition to have the city acquire their properties the previous December at valuations which were, it seems, liberal. The conspicuous part played in this campaign by men who had been prominent in the other gave color to the charge that it was merely a sequel to it. Another ugly rumor related to the boardwalk, the line of which is not permanent. The establishment of a permanent line might involve shifts of considerable importance to the holders of adjacent real estate. These rumors shaded off from those which were barely plausible to those which were obviously unfounded, as, for example that the city manager was already living in a certain hotel ready to make a dramatic appearance the day after election. Others were circulated for the special benefit of various groups. The W. C. T. U. was told that the movement meant an open town. The private lives of some of the committee made this seem not unlikely, but the writer is convinced that as business men they believed that the prosperity of the city depended upon maintaining its present respectability. The K. K. K. were told that a Jew or a Catholic was certain to be manager while the negroes were informed that they would be expelled to the mainland.

The defects of the law were not overlooked. It was early discovered that the New Jersey manager act did not contain initiative and referendum provisions similar to those contained in the commission government law under which the city is operating. Much was made, and rightly, of the provisions that "the manager may be removed at any time by a vote of one more than a majority of the council," which in a council of three provided for small cities would mean a unanimous vote. These defects are, of course, not chargeable to the local organization, but they were used with telling effect. It seems probable also that three is too small a council to be genuinely representative. As usual the liberties won with patriot blood in 'seventy-six were declared in jeopardy. But the real fight centered about local problems and personalities.

THE MANAGER, A SIDE ISSUE

The upshot of all this was that in the end, the manager act was all but lost sight of. Rumors, boasts, bold threats and dire prophesies filled the air and a real political campaign was on and old-fashioned political expedients were resorted to. In this the Committee of 100 was not bashful. Whether, as there is some evidence, a prominent official was paid $2,500 to vote right and keep hands off, it would be impossible to say. It seems certain, however, that $800 was spent by the committee or members of it in bribing the negroes while they, having accepted from both sides, voted against the plan which they feared would dispossess them.

Such a campaign was better calculated to generate heat than light. What the voters were really voting for and what they thought they were voting for would both be difficult indeed to determine. Yet they voted in enormous numbers. The total voting was 1,952 only 3 less than the vote cast in the presidential election last year. The scene on the final day was far from edifying but the reader may be spared those details. Both sides had been confident of victory for the fight was admitted to be close. More than 200 people were given special registration between 4 P. M. and 10 P. M. on election day when the polls closed, in which matter as in most others both sides cried fraud. The final vote was unexpectedly decisive. When the ballots were counted it was found that the manager plan had lost by 1,279 to 673 or almost two to one. It had lost in every precinct.

PEACE WITHOUT VICTORY

The writer believes that a city manager would help Ocean City. He is convinced that the city can afford a more efficient, progressive government and that this could be obtained without sacrificing responsibility or responsiveness to public opinion. But it would have been unfortunate to have the plan inaugurated under that Committee of 100. He is inclined to believe that the members of that organization really felt themselves identified with the future of the city, but their determination and their reckless extravagance made it difficult to persuade the voters that they had no selfish purpose. Certainly they intended to play a prominent part in the primaries and election which would have followed the adoption of the manager plan. Such an organization would certainly have cast any manager under a cloud of suspicion.

The campaign has done no irreparable harm. It is merely $30,000 (more than $10 per registered voter) wasted. The New Jersey manager act wisely provides that no new attempt under it can be begun for two years. By the time that probation has expired it is to be hoped a new campaign may be undertaken under happier and humbler auspices.

RECENT STEPS TOWARD ADMINISTRATIVE CONSOLIDATION IN STATE GOVERNMENTS

BY A. E. BUCK

The following article relates briefly the progress in state reorganization and consolidation since the writer's pamphlet on "Administrative Consolidation in State Governments" was revised in August, 1924.

THE reorganization of state administration was again urged by the governors of a number of states in their messages to the 1925 legislatures. While legislative action followed in only a few of the states, the movement for the simplification of state government is nevertheless gaining ground rapidly.

This year Minnesota was added to the list of eleven states that have made more or less sweeping changes in their administrative organizations. South Dakota made a partial reorganization of its administrative agencies. Illinois added two new departments to the nine already established under the code of 1917. The New York legislature adopted an amendment to the constitution providing for the consolidation of the administrative agencies of the state government into twenty departments. This amendment will be voted on by the people of the state at the November election. The legislatures of Ohio and New Jersey both adopted amendments to their constitutions extending the term of the governor to four years. Washington, North Carolina and Iowa (special session in 1924) provided for better fiscal control through the establishment of an executive budget system. Administrative consolidation proposals were made in Indiana, Missouri, Nevada, Texas and Wisconsin. This, in brief, is what has happened in state administrative consolidation during the past year, looking toward better service and a reduction in the cost of operating state governments.

THE MINNESOTA REORGANIZATION

It will be remembered that Minnesota was among the first of the states to make a study of its administrative agencies with the idea of reorganization. Nothing was accomplished, however, and things dragged along until the 1923 legislature created an interim commission of five members to investigate the state activities and report to the next session. The present governor, Mr. Theodore Christianson, was a member of this commission. In his message to the 1925 legislature, he urged a reorganization of the state administrative agencies, saying that the burden of increasing taxation was "due in a large measure to a system in which ninety-two agencies have an incentive to spend money and no one has power to compel retrenchment." He spoke at length of the defects of the existing administrative arrangement, and he commended the report of the interim commission to the careful consideration of the legislature.

The report of the interim commission provided for an executive council and 10 departments; namely, administration and finance, conservation, agriculture, highways, education, health, commerce, labor and industry, welfare, and taxation. The executive council was to consist of the governor, auditor, secretary of state, treasurer, and attorney general, all constitutional elective officers. It was to perform the duties vested in the board of audit, land commission, board of relief, and board of deposit, which were separate ex officio boards. The departmental reorganization proposed considerable consolidation in the fields of conservation, labor and industry, control of business, agriculture, and finance. But the existing organization of departments administering health, welfare, education, highways, and taxation, were not to be appreciably changed. Centralized control over personnel and purchasing and an executive budget system were to be provided. Four members of the commission expressed themselves as believing that if these recommendations were adopted and carried out they would "in general result in a better quality of service and a greater economy in administration." One member of the commission dissented. While in agreement with the desirability of overhauling the machinery of the state government, he proposed a different method—he would make a more liberal use of the board type of departmental organization and, in some cases, a different allocation of activities.

There was sent to the legislature along with the report of the interim commission a bill to carry out the majority recommendations contained in this report. The house passed the interim commission's bill by an overwhelming vote. In the senate, however, the administration lacked one vote of having a majority. Amendments were made to the bill during its consideration by this body that almost completely changed it from its original form. These amendments were in the direction of giving the elective officials more power and making some of the departments independent of the governor. An impasse resulted for the time being between the two houses. The differences were finally ironed out by a conference committee, the report of which restored the bill largely to its original form. Three departments were added to the list proposed by the interim commission and the personnel and purchasing control was considerably weakened. The bill was signed by the governor on April 25, and became effective as a law on July 1, 1925.

The reorganization act establishes an executive council and 13 departments, as follows: (1) administration and finance, (2) conservation, (3) dairy and food, (4) agriculture, (5) highways, (6) education, (7) health, (8) commerce, (9) labor and industry, (10) public institutions, (11) taxation, (12) rural credit, and (13) drainage and waters. The executive council is constituted as recommended by the interim commission. It has the powers and duties noted above, except that the functions of board of audit are given to the comptroller under the department of administration and finance. The governor is chairman of this council, and there is an executive secretary appointed by the council, who is also secretary of the state board of pardons and of the state board of investments.

The department of administration and finance is the hub of the administrative wheel. It is fashioned after the Massachusetts department by the same name, but its powers are not nearly so extensive as those of the latter. It is under the supervision and control of the commission of administration and finance, consisting of the comptroller, the commissioner of the budget, and the commissioner of purchases. These officers head the three divisions in the department; namely, the comptroller's division, the budget division, and the purchases division. They are appointed by the governor with the consent of senate for terms of six years with salaries of $5,000 each per year. The commission has general powers over the fiscal functions of the state government. The comptroller keeps a general set of accounts which duplicate to a certain extent those kept by the elective auditor. Both the auditor and the comptroller audit and approve claims, but the decision of the latter is final. The comptroller may require the auditor to make periodical reports to him on receipts and disbursements as shown by the books in the latter's office. No state official or agency can enter into a contract or obligation involving the expenditure of money without the comptroller's approval. The commissioner of the budget gathers the fiscal information and prepares the budget for the governor's recommendations. The commissioner of purchases buys the supplies, materials and equipment for the state agencies except the state board of control, which is left practically free to purchase as it sees fit for the state institutions. Regulations similar to those of Massachusetts are prescribed to govern the buying procedure. The commission is given power to classify and regulate the personnel of the state government with the exception of the employees at the state institutions under the board of control. One member of the commission may be designated to look after this work without additional compensation. In the original bill, a director of personnel, appointed by the commission, was to have charge of this work and was to be empowered to put the control upon a merit basis. However, considerable may be accomplished under the plan adopted, if advantage is taken of the possibilities which it offers.

The department of conservation is under a commission consisting of the commissioner of forestry and fire prevention, the commissioner of game and fish, and the commissioner of lands and timber. The first two commissioners are appointed by the governor with the senate's approval for two year terms at annual salaries of $4,000 each. The last named commissioner is the state auditor ex officio. The titles of the commissioners suggest the scope of the work of the department. The functions of four boards and officers, having to do with lands, parks, and immigration, are transferred to this department.

The department of drainage and waters and the department of dairy and food are each under the supervision of a commissioner appointed by the governor. The salary of the former is fixed at $4,000, but his term of office is not specified. The salary and term of the latter is fixed by law. Under the plan of reorganization as proposed by the interim commission, the functions of these two departments were to be included under the departments of conservation and of agriculture.

The department of agriculture is under a commissioner appointed by the governor with the approval of the senate. His term and salary are provided by law. The department is organized practically as it was prior to the passage of the reorganization act. The live stock sanitary board is continued independently of the department of agriculture.

The department of commerce is headed by a commission, consisting of the commissioner of banks, the commissioner of insurance, and the commissioner of securities. These commissioners are appointed by the governor with the senate's approval for terms of six years at salaries of $4,500 each per year. There are three divisions in the department, each of which is supervised by one of the commissioners. The functions of the state fire marshal, the state securities commission, and the colonization commission are transferred to this department and these agencies are abolished.

The department of health is under the state board of health. The duties of state hotel inspector have been added to it. The department of education is under the state board of education. The commissioner of highways heads the department of highways. The department of labor and industry is under the state industrial commission. The department of institutions is under the supervision of the state board of control. The state tax commission has charge of the department of taxation. The organization of all these departments remains practically the same as before the passage of the present act.

A department of rural credit is created under the control of a board of three members. Two of these members are appointed by the governor and the third is named by the attorney general from among his assistants. This department carries on the business of lending money to the farmers of the state.

The examining boards for trades and professions are required to file their registration records with the secretary of state. A number of minor and temporary state agencies are continued without change.

How successful the Minnesota plan of reorganization may be remains to be seen. A lot depends upon the governor's ability to direct and supervise the carrying on of state work through the department of administration and finance. With his term of office fixed at two years, he can hardly get started before it is over.

SOUTH DAKOTA'S PARTIAL CONSOLIDATION

Early in 1922 the New York Bureau of Municipal Research made a survey of the state government of South Dakota and recommended a complete reorganization and consolidation of the administrative agencies. The Bureau submitted a comprehensive report to Governor McMaster, but he did not see fit to place this report in the hands of the members of the 1923 legislature. A joint committee on administration and reorganization of this session of the legislature, however, prepared a reorganization bill which the legislature failed to take any action on. Things drifted along until the political campaign in the fall of 1924, when Governor McMaster ran for the United States senate. One of his opponents in the race, Mr. U. S. G. Cherry, dug up the survey report made by the Bureau and used it with telling effect in the campaign. While McMaster was elected by a small majority, the report had been given sufficient publicity so that the reorganization of the administration became an issue in the state. Mr. Gunderson, who was elected governor at this time, emphasized the report and its recommendations in his message to the 1925 legislature. He stated that it was unfortunate that the report had not been made public prior to that time, for "had that been done, there would have been a better understanding as to the condition of affairs in the state and financial losses might have been prevented."

Following Governor Gunderson's recommendations, the 1925 legislature passed an act creating a department of finance and a department of agriculture. Nine existing administrative agencies were consolidated in the former department and eighteen in the latter. Each department is headed by a secretary who is appointed by the governor with the senate's approval for a term of four years (the governor's term is two years). The secretary of finance receives an annual salary of $5,000 and the secretary of agriculture $4,000.

The department of finance has broad fiscal powers covering the keeping of accounts, the auditing of claims, the preparation of the budget for the governor, the purchase of supplies and printing, the control of state employment, and the administration of the tax system. It is organized under four divisions; namely, audits and accounts, purchasing and printing, employment, and taxation. The state auditor, a constitutional elective officer, is made ex officio head of the division of audits and accounts. He is required to appoint with the consent of the governor a certified public accountant to act as assistant director of the division. The other divisions are each headed by a director appointed by the secretary of finance with the advice of the governor. Detailed purchasing rules and regulations are laid down. The director of employment is required to keep a record of all officers and employees of the state, to establish efficiency ratings, to classify positions and fix standard salary rates for clerical help, to certify all payrolls, and to devise a plan for pooling and transferring clerical help among the departments and institutions. He has charge of the capitol buildings and grounds. The director of taxation performs the duties of the tax commission with the exception of the equalization duties which are vested in a board of equalization composed of the secretary of finance, the director of taxation, and the assistant director of taxation. The state tax commission was abolished.

The scope of the work of the department of agriculture is indicated by its four divisions, viz.: animal industry; markets, statistics and immigration; inspections; and game and fish. Each division is headed by a director appointed by the secretary of agriculture with the advice of the governor. Veterinarians are examined and licensed by the division of animal industry. The division of inspections includes foods, drugs, dairies, fertilizers, petroleum products, bees, nurseries, hotels, and weights and measures. The department is required to coöperate with the state college of agriculture.

Almost as soon as the new departments began to operate, the constitutionality of the law establishing them was attacked. The suit has not yet been settled, but it does not seem likely that the law will be declared unconstitutional.

As a result of a legislative investigation conducted during the 1925 session, the rural credit business of the state was reorganized. The rural credit funds are now required to be handled by the state treasurer. Formerly this business had a special treasurer, who was also a banker in Pierre. The latest report states that this treasurer embezzled more than $296,000 of the rural credit funds during his term of office. Other recent statements show that the rural credit business is in a poor financial condition due to bad administration. There are $46,500,000 of rural credit bonds outstanding and the amount of the loans in force are $40,470,000 as of June 30, 1925. On this date there was a deficit in the rural credit funds of $2,476,900, not including $296,000 embezzled by the treasurer, $150,000 expenses of the past year, $300,000 loss of interest, $250,000 tax payments, and $1,000,000 loss of principal on excessive loans. About $1,156,000 of the rural credit funds is tied up in defunct banks of the state.

ADDITIONAL DEPARTMENTS IN ILLINOIS

Governor Len Small in his message to the 1925 legislature of Illinois recommended the establishment of two new departments in addition to the nine already provided for under the civil administrative code of 1917. He said that "in view of the increased volume of business in some of the departments incident to the great road construction and waterway building program," there should be a department to include the division of waterways and the division of architecture and engineering and a department to comprise the division of purchases and supplies and the division of printing. These divisions belonged to the department of public works and buildings, as constituted by the code. The governor's proposal would leave to the department of public works and buildings the construction and maintenance of highways and the supervision of parks. The governor argued that the purchase of supplies and printing touched all the departments and agencies of the state government and should therefore be in a separate department.

As a result of the governor's recommendation the legislature amended the code of 1917 to provide for the establishment of a department of purchases and construction and a department of conservation. These departments are each headed by a director appointed by the governor with the senate's approval, as in the case of the other departmental heads. Each director receives a salary of $7,000 per year.

Under the department of purchases and construction is placed the purchasing and printing for the state departments and institutions, the supervision of waterways, and the architectual and engineering work. The office of state purchasing agent is created in connection with this department at a salary of $6,000 a year. This department really comprehends all the functions which Governor Small recommended should be put into two departments.

The department of conservation is charged with the protection of the fish and game, the conservation of the forests and the promotion of forestry. This work was originally under the department of agriculture. That there was a good reason from the standpoint of administration for taking it out from under this department may be questioned.

PENDING CONSTITUTIONAL CHANGES

Constitutional amendments in three states, which are to be voted on at the November election, have a distinct bearing upon administrative control and reorganization. Amendments in both New Jersey and Ohio, if adopted, will provide for a four-year term for the governor. Such a term for the executive will meet some of the objections that have been raised against the reorganization plan in Ohio. It is now generally conceded that the governor should have a four-year term if centralized administration is to work most effectively.

The other amendment, if accepted by the people, will provide for a complete plan of state administrative reorganization in New York. This amendment has been the subject of almost continuous discussion since the constitutional convention of 1915. It has been sponsored by leaders in both of the major political parties. It is sometimes referred to as the Root plan, and again as the Smith plan of reorganization. It provides for the consolidation of the multitude of existing state administrative agencies into 20 departments, and abolishes the elective offices of secretary of state, state treasurer, and state engineer.

The proposed departments are as follows: (1) executive, (2) audit and control, (3) taxation and finance, (4) law, (5) state, (6) public works, (7) architecture, (8) conservation, (9) agriculture and markets, (10) labor, (11) education, (12) health, (13) mental hygiene, (14) charities, (15) correction, (16) public service, (17) banking, (18) insurance, (19) civil service, and (20) military and naval affairs. The departments of audit and control and of law are to be headed by the comptroller and the attorney general respectively, both of whom are to remain elective for the same term as the governor and the lieutenant governor (two years). The comptroller's duties are limited to those of audit and control. The head of the department of education is to be appointed by the regents of the university, and the head of the department of agriculture and markets is to be appointed in the manner prescribed by law. The heads of the other departments are to be appointed by the governor with the advice and consent of the senate. No new departments are to be created. In the event new functions are undertaken, they are to be placed under one of the twenty departments.

LEGISLATION TO IMPROVE FISCAL CONTROL

In addition to the provisions made for fiscal control by Minnesota and South Dakota, as noted above, the legislatures of Iowa, North Carolina and Washington have provided for budgetary control. The Iowa legislature at a special session in 1924 enacted a budget law for the state and also for the localities. The governor is made the chief budget officer of the state. He appoints with the senate's approval a director of the budget for a term of six years. This director and his assistants prepare the budget and exercise the budgetary control under the supervision of the governor.

The North Carolina legislature of 1925 enacted a law providing for a system of budgetary control under the direction of the governor. This law was passed at the behest of Governor McLean and is in lieu of more extensive administrative reforms at this time. A budget bureau is created in the executive office and the governor appoints an assistant to conduct the work of the bureau. Rather extensive powers are granted to the governor over the fiscal operation of state departments and institutions.

The 1925 legislature of Washington enacted a budget law that places the responsibility for budget planning squarely upon the governor. The detailed work of budget making is done in the department of efficiency under the direction of the governor. Budgetary control is extended to all the agencies of the state government. Governor Hartley had the legislature that met last spring make appropriations for only one year. He will study the needs of the state government and call a special session in November, 1925, to make appropriations under the budget provisions for the remainder of the biennium.

Utah took a backward step in allowing the department of finance and purchase created in 1921 to go by default for lack of an appropriation to carry on its work. Political opposition seems to have worked the undoing of the department before it had time to establish itself in the public favor.

PROPOSALS FOR CONSOLIDATION IN FIVE STATES

Governor Jackson, immediately following his election to the office in November, 1924, appointed a committee of three members to make a survey of the boards and commissions of Indiana to determine "which of them, from the standpoint of economy or efficiency could be abolished or consolidated." This committee made a report to the governor in January, 1925. It found that there were 89 administrative boards and commissions in the state government, the members of 76 of which were serving without compensation or for only very nominal amounts. It thought all of these agencies were quite efficient and found "the cost of state government in Indiana to be the lowest in the north central states." In the matter of consolidation, this committee would not even entertain the idea of single-board control, to say nothing of single-individual control, for the charitable and reformatory institutions of the state. It recommended that the existing arrangement under which each institution is governed by a bi-partisan board of trustees should be continued. This is typical of the other recommendations of this committee; in fact, no consolidation worthy of note was recommended. Governor Jackson commended this report to the 1925 legislature in his message and suggested that it go as far as it liked in the matter of consolidation. As might be expected, nothing of note happened.

Governor Baker of Missouri in his message to the 1925 legislature proposed certain consolidations. Among these were the bringing together of the labor agencies into a department, the creation of a single-headed department of agriculture, the appointment of a commissioner to take the place of the board of charities and corrections, the appointment of a state librarian to take over the work of the library commission, the creation of a budget system under the governor and the repeal of a number of miscellaneous boards. The legislature proved to be hostile to the governor, who finally narrowed his program down to the budget system. He made a fight for this and was defeated.

The state survey commission created by the Nevada legislature of 1923 secured the services of the New York Bureau of Municipal Research in making a survey of the state agencies. The Bureau submitted a report to this committee which was published in full as a supplement to the *Nevada State Journal* for November 20, 1924. In this report a complete plan of reorganization was proposed for consolidating the functions of the 78 existing administrative agencies into nine departments under the direction of the governor, thus reducing the operating expenses of the state government by more than $200,000 a year. The establishment of a single-house legislature was also recommended. The survey commission later made a report to the 1925 legislature based upon the Bureau's report, but it was more or less half-hearted in its support of some of the proposals in the latter report. Governor Scrugham did not give his endorsement to the report of the commission. Although a number of bills were introduced in the legislature to carry out the recommendations of the commission, few of them passed and those that did were of minor importance.

During the 1925 session of the legislature the university of Texas published a bulletin on the reorganization of state administration in Texas. This bulletin was prepared by Mr. Frank M. Stewart of the university. A plan of reorganization was proposed which was based upon the needs of Texas with due regard for the experience of other states in the matter of administrative consolidation. It was recommended that the 91 existing administrative agencies should be consolidated into 14 departments under the control of the governor, and a council of education appointed by the governor to supervise the institutions of higher learning. To adopt this plan of reorganization would require constitutional changes, since Texas has six constitutional officers besides the governor. A plan for statutory enactment was also proposed. It was estimated that the annual cost of the state administration could be reduced $1,000,000 by reorganization and the state services greatly improved at the same time. So far as the writer knows, this report was not officially brought before the 1925 legislature.

There was introduced in the 1925 Wisconsin legislature a bill to consolidate useful departments, commissions and boards of the state government and to eliminate those agencies that had become obsolete. This bill proposed to abolish eight administrative agencies and to consolidate 44 statutory departments, boards and commissions into 20 departments. Nearly all the consolidation was to have been made in the financial and the agricultural agencies. The proposed plan of reorganization does not appear to have been based upon a careful analysis of state needs; besides, it lacked uniformity. The legislature did not give serious consideration to the bill.

THE MISSOURI COUNTY BOARD—ITS PERSONNEL AND PROCEDURE

BY EUGENE FAIR

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Some further illumination on the characteristics, psychology, "politics," and working habits of county boards—this time from Missouri.

THE county board in Missouri has very little to do with judicial matters, but it is still called the county court. Each one of the 114 counties has such a court. In every instance it is composed of three members: a presiding judge, elected from the county at large for a term of four years; and two associate judges elected for terms of two years from districts, each county being divided into two districts for that purpose.

The functions of this board are numerous and important, the most important being those connected with finance, roads and bridges, poverty, construction and care of county buildings, and selection of juries. Each one of these functions is worthy of careful consideration, but it is the writer's purpose to limit this discussion largely to the personnel and procedure of the Missouri county court.

For nearly a decade now, the total number of judges (342) has been rather evenly divided between the two great parties. Most of the courts which are solidly for one party or the other take great pride in the fact and will often boast about it. There is at the same time, on the part of such courts, the conscious or unconscious realization, however, that practically none of the questions with which they deal has anything to do with party politics. Many of the judges undoubtedly would like to forget all about the question of party and render the best possible service to the county, but there are nearly always some citizens seeking petty appointments as road overseers, justices of the peace, or constables, who try to hold the judges to their party moorings.

That is not all—the "courthouse ring" of their party are constantly on hand to remind the judges that party lines must be held firm. This free advice is more prevalent in counties where there is politically a mixed court or where the result of an election is uncertain. It is a very common thing for county officials to "drop in" on the judges and talk over each other's political prospects and the battles of the past.

Midst handshaking and exchange of rough, but nearly always interesting jokes, one can begin to see how a judge has succeeded in holding his office as long as he has and how he proposes to hold it in the future. Sometimes it is done by a judge dealing so fairly with all concerned that the majority of people want him reëlected, but more often it is a case of his convincing the voters that he is giving them what they want.

THE JUDGE WHO IS A POLITICIAN

This is especially noticeable in connection with road and bridge matters in counties which are close politically. One case investigated was that of a Republican presiding judge in a county which is generally Democratic. This judge had served two terms as associate judge from a very close district. He had been asked early in the day on which his court was visited how he succeeded so well in a Democratic county. An evasive answer was given. But as the day was nearly over, he turned to the writer and said, "There will be a bunch in, I think, in a few minutes, who are wanting that old bridge at ——— reroofed. It will cost about $500 to replace that old roof and there is no use having it, but in order to stand in well with those people you must give them what they want." In a few minutes in came the "bunch." Not the least objection was raised by the presiding judge. It was taken as a matter of course that the roof would be replaced. The "bunch" went away apparently well pleased and perfectly willing in three years' time to cast their votes for the obliging judge.

This same judge, as would be expected, is very careful about the feelings of his constituents when it comes to vacating, relocating, improving roads, or granting a petition for a new road. While he likes the credit for having done something on road matters, he is half afraid to act for fear of offending someone. He is typical of many another judge. Subject somewhat to flattery, proud of the fact that he has many dependable acquaintances throughout the county, conscious that he is the main force on the court by virtue of his success in getting reëlected twice, his rather officious, yet condescending manners in the presence of reporting road overseers, should no doubt be overlooked.

Tinged with venality—he may be provincial to the bone, cowed and fearful at one moment, boisterous, emphatic and overbearing the next—he knows almost uncannily the springs and limits of power in the various communities of his county. He knows pretty well most of the men who have business before the court. Long before he became a member of the court, he knew the questions which really stirred the passions, more than any others, were over roads and bridges. Since coming on the court, he has become rather familiar with the several hundred miles of dirt roads within his county and still better acquainted with the men who travel them. He knows that when most farmers come to court, they are pleased with his warm handshake and his apparent knowledge of their stock and farms. He spreads good humor to the court and bystanders. He flatters and is flattered. There runs all through his conversation, sometimes expressed, the idea that his county is the best in the state. He might really serve his county much better, if he really knew how. He has learned much through his several years of experience, not the least of which is how to get along with people with whom he deals, but it is not enough to make him translate his boastful pride in his county into a really constructive and businesslike administration of its affairs.

He thinks that the main way to handle men is by conferring on them personal and sentimental favors even at the undue expense of the county. He is suspicious of the stranger "within his gates," but not enough so to keep this stranger from selling him out-of-date road machinery. Such a judge is not apathetic; in fact, most of the day in court he thinks he is very busy though he may actually do very little. As he bustles away in his car to his home, one gains the impression that here is a man well contented with his lot, well liked by his neighbors, a shrewd vote getter, but by no means a shrewd administrator of the county's business.

This type of judge is a successful local politician. He did not come into his office through being pushed. He did the pushing. There is another type which has been really "urged to run" either because he is thought harmless by his supporters or with the thought that he can be used. Most of such judges are good natured, honest men, but they hardly know "whither they came or whither they are going." While sitting on the court, they are often decidedly apathetic. Such a judge will often sit through the entire day without scarcely uttering a word. A lazy nod to the presiding judge or clerk will show how he wishes to vote on a given matter.

In one court observed, the presiding judge was of this type, but fortunately one of the associate judges had driving force and energy and really disposed of most of the business of the court. The presiding judge was probably not conscious of what was taking place, but he seemed well content to have the businesslike judge proceed. This stolid, uninteresting and uninterested type is quite often mere pawns in the hands of local politicians, but are not nimble witted enough to make good tools. They do not care very much just how the business of the court is conducted. It would not be a great disappointment to such a judge were he not renominated for office, and a still less one to the voters of the county. He will likely be called "judge" the rest of his life, but no one can tell what he did while serving on the county court, not even the politicians who persuaded him to run.

THE CONSERVATIVE TYPE OF JUDGE

There is another type of judge who, on the surface, is not in action much more than the type just mentioned, but who has a mind of his own and is conservative to the bone. The passage of the years has left him restful and calm with little enthusiasm for any cause, but he is thoroughly convinced that no one can guard the county treasury so well as he. He it is who warns the county superintendent of schools to buy no more badges for graduating classes, since this was not done when he was a boy.

This sort of a judge is always the pride of a number of big taxpayers in the county. They would be at loss as to what to do, were he not on the county court. Should a proposal come up to employ a county nurse, a farm agent, or help in establishing a library for the county, he at once scents danger in such expenditures. He may say little in the open about such matters, but he knows almost by intuition what the big taxpayers do not want. He is keen, relentless, well informed on the routine procedure of the court and knows well the whims and prejudices of the most influential voters in the county.

He is quite as good a local politician as the volatile type spoken of above, but he holds men to him because they feel he is a part of their stable property-loving selves. He is himself quite often one of the big taxpayers or is about to become one. This fact makes him thoroughly conscious that the ability to get and take care of property, especially land, indicates superior ability to look after the county's interests on the county court. His success as a farmer is usually rather marked. But the elements which have made this success possible—fertile acres, favorable location, hard labor, good judgment—he has erected into fetishes.

It is no wonder then that he looks askance at even the mention of a scientific budget, uniform accounting, double-entry bookkeeping, the county manager, or any other improvements in county government beyond his immediate ken. He is inclined to look upon the county government as he does on his well-fenced fields. A ditch may need filling up now and then, a few repairs made, but very much change or experiment cannot be tolerated.

THE PROGRESSIVE TYPE OF JUDGE

It is much more pleasant to try to describe the really progressive county judge. There are a considerable number of these in Missouri. Most often he is a well-to-do farmer, busy, open minded, always seeking to improve the scientific methods he applies on his farm. Those who know him think of him first, not of his stock or his acres. Generally he has consented to run for membership on the court only after having convinced himself that he can be of real service. He is sincere with himself and others. He rather readily detects trickery in others and therefore will not allow himself imposed upon by so-called friends. He has proper dignity and self-respect and most always a saving sense of humor. He will listen, with apparently rapt attention, to a salesman undertaking to sell the court something they do not want and then, in a good humored way, tell him that his talk was very interesting but really useless since the court had no intention of buying. If the salesman is inclined to get ill-humored, as he is sometimes, the judge will politely say, "Let's go to the next order of business."

This may sound as if the progressive judge wished to waste the time of the salesman and of the court, but this is hardly true. He wishes every one who desires it to have a hearing before the court and, then, some relief from the tedium of ordinary court procedure is not unwelcome.

Such a judge has not permitted the humdrum and hard labor of the farm so to engulf him that in counting his success he becomes boastful or blindly conservative. He has rarely been stolid and indifferent to his surroundings. He would no doubt be at a loss in dealing with the precise, well-dressed business man of a large city, but at no greater loss than the latter would be in dealing with the farmers who attend the county court. He may appear slow, but he is continually bringing things to a head and getting things done. He acts on the merits of a question irrespective of friend or foe. The thought of an oncoming election does not affect his behavior.

He has read widely and intelligently. The farm bureau, county nurse, modern "poor house," community house, county library, hard surfaced roads, an up-to-date accounting system are terms which do not scare him. He stands for these things and does not hesitate to say so. He therefore has courage, imagination and hope. At the close of a busy day he often looks wistful. He has tried to do his very best, but is no doubt wondering if he could not have done better.

He will talk to you interestingly about progressive things the court proposes to do, but will have little to say about the petty politics of the county. He may have a rough exterior, but his judgment and purposes are excellent. Possibly his greatest fault is that he is not conscious that it is necessary for the people to know more of the first rate things he is doing. Therefore he may never realize why he was defeated for reëlection. His enemies had talked and he and his friends had said little. Such a judge does not study or practice the arts of a politician sufficiently to keep himself in office. He needs to forget his reluctance to let people know what he is doing. Such a judge deserves continuous service on the county court.

In this attempt to describe the various types of judges it should be noted that not every single judge belongs definitely to each type, but constant observation will lead one to believe that most of them may be so classified.

COUNTY JUDGES LARGELY FARMERS

Even though there are a number of different types of county judges, the members have much in common. Data obtained from about one-third of all the judges in the state indicate that between 85 and 90 per cent are farmers. There are a few small town merchants, bankers, real estate men, dentists, pattern makers, contractors and lawyers, but they are so closely connected with farming that they need not be thought of as apart from that business.

Unless one has lived near the soil, it is possible entirely to underestimate some of the most progressive of county judges and overestimate the stolid or other types. One of the most progressive judges observed at work remarked that it made him uncomfortable to wear a tie. He is not only progressive in the sense spoken of above, but has unique ways of letting the people of the county know what the court is doing. Sometimes he does this by asking representatives from all over the county to attend the court and give advice, sometimes he drives into other communities than his own, apparently to buy stock, but really to spread the gospel of his court. One of the most stolid and indifferent judges the writer has ever seen in a court room goes well groomed and socially has the easy manners of a big town banker. It is an undersized, grey shirted, unshaven associate judge who really does the business of this court.

Estimating from data obtained from about 100 judges, the average age of members of the court is between 52 and 55 years. Very few are under 40 or over 70. It is safe to say that most of them are advanced enough in years to be looked upon as conservative, rather than progressive. Little ambition to be of wider service in an official way is present. Few county judges ever hold another office of greater importance. Certainly there is not much, in the many prosaic things they do, to light the flames of ambition. Theirs, like the school board's task, is rather thankless. They are often adversely criticised, but seldom praised. Most people think of the things they do as quite petty and hence are inclined to look upon the members of the court in the same way.

THE COUNTY CLERK

The procedure of the county court is closely bound up with the office of the county clerk. The clerk is elected by the voters of the county for a four year term. There are many laws and court decisions pertaining to the relation of the clerk's office to the county court, but these give very little idea of the working relations of the two. Many county courts would hardly know how to carry on their work were it not for their clerk. This is especially true when the members are new and the clerk has been some time in the service. If the clerk has the confidence of the court, he is constantly asked by it to state facts and indicate what the law is in a given matter.

Indeed, so well informed are some of the clerks that members of the local bar depend upon them to state the law rather than look it up for themselves. Seldom is the clerk a lawyer, however. He or his deputy is ever present when the court is in session, minute book in hand, supposedly making a rather complete record of what the court is doing. In reality, most minute books do not show much more than what the court has "ordered" done. In any event a large part of the time of the clerk, while the court is in session, is usually spent in advising the court and guiding them in what they do.

PROCEDURE OF THE COUNTY COURT

Whether the court meets in its own room, in that of the county clerk, or in the circuit court room, its procedure is of the most informal kind. The usual county court room is rectangular in shape and will seat from seventy-five to one hundred people. Frequently the judges and clerk sit on a raised platform, railed off from those who have business with the court, but just as frequently they sit in no set order around a table which stands in the open room. Sometimes they are formally summoned together by the sheriff, but more frequently business is begun much as if one farmer called on another to have a friendly talk. There is nothing of "if it please your honors," unless it be a conventional lawyer addressing the court. Rather is there seemingly the conscious attempt, both from the standpoint of the court and those who have business with it, to meet on common terms.

With certain exceptions, as in reports of road overseers, road trials, insanity cases, hearings to grant pool hall licenses, and deciding on county depositaries, no regular order of business is followed. The idea of "the first who comes is the first served" is very well adhered to. This does not mean, however, that the court will finish its business with the first who comes without interruption. Neither does it mean that an individual will have the undivided attention of all members of the court. It is very common, for instance, to see one individual ask judges for poor relief and before there is time for any sort of an answer, another individual will present a road petition and still another a bill against the county. It is very common also to see each judge consider one of these several matters without any heed as to what another judge may be considering at the same time.

It strikes one at first sight that this kind of procedure could mean only endless confusion. That there is much time wasted is unquestioned, but perhaps no more comparatively than is wasted in many of the circuit courts. By the insistence of a private individual, the clerk or a member of the court, the several kinds of business are generally brought to a head before the day is over, even though there may be many interruptions before this is done. Few judges or private individuals show any disposition to expedite business.

Such a lack of any systematic procedure goes far to make everyone feel at ease who has business with the court. Seldom, if ever, do complaints arise that county courts refuse to hear. Suggestion of any change in procedure to most members of courts or their constituents generally produces astonishment and sometimes pointed objections. Not until farmers carry on agriculture according to well-tried business methods will they awake to a desire for definite procedure in the county court.

With all this lack of business methods and the greatly varied and somewhat intricate work the court is called upon to do, it would seem feasible to divide up its functions among the members, as is done in commission governed cities. One looks in vain for such a division. The idea prevails that the court must perform its functions, in all their ramifications, as a body. The procedure could be readily changed so that each judge would have certain functions which he would handle. This would make each judge feel that he could not shift his duties to another and probably stimulate him to excel other judges in his work. It would also help the court to have more of its sessions devoted to one or two particular problems and thus get greater concentration of effort and, more than likely, better solutions.

VIRGINIA PROPOSES SIMPLIFICATION AND ECONOMY IN GOVERNMENT

BY ROBERT H. TUCKER

This article describes the efforts that are being made in Virginia to simplify the organization and to reduce the cost of both the state and the county governments. :: :: :: :: :: :: :: ::

THE general assembly of Virginia, at its session of 1922, provided for the appointment of a commission on simplification and economy of state and local government. The commission, as constituted under the law, consisted of nine members—two from the state senate, three from the house of delegates and four appointed by the governor.

THE MOVEMENT FOR ADMINISTRATIVE REFORM IN VIRGINIA

The creation of the commission on simplification came as the result of a fairly well-defined movement for administrative reform in Virginia, beginning as early as 1908 and culminating, at the legislative session of 1922, in a special legislative committee on merger and abolition of offices.

During these years there had been a number of commissions, or committees, appointed to investigate and report upon different phases of state and local government. The most important of these were the special tax commission of 1911, the joint tax committee of 1914, the commission on economy and efficiency of 1916–18, the education commission of 1918–20, the children's code commission of 1921, and the fee commission of 1922.

Some of these investigating bodies, notably the joint tax committee and the education commission, were adequately financed, and all of them submitted comprehensive reports. With the exception, however, of the program of the children's code commission, and the state budget system, sponsored by the commission on economy and efficiency, few of their recommendations have found their way into law.

THE POWERS AND DUTIES OF THE COMMISSION ON SIMPLIFICATION

The powers and duties of the commission on simplification were unusually broad. The commission was directed to "investigate and study in detail the organization of the government of Virginia, state and local, also all bureaus, departments and institutions," and to submit to the general assembly at its session of 1924, " a plan for the reorganization and simplification of all the component parts of the government . . . including such coöperation as may seem expedient, and such elimination of unnecessary duplication in state governmental agencies, both state and local, as may be revealed by the investigation and study herein mentioned." This plan was to be presented in two parts, one confined to such improvements as could be effected without constitutional amendment and the other to include improvements conditioned upon constitutional change.

On the other hand, the appropriation placed at the disposal of the commission was insufficient to meet ordinary traveling and clerical expenses, and had to be materially supplemented at the 1924 session of the general assembly.

MEMBERSHIP AND WORK OF THE COMMISSION

It thus became clear from the beginning that the work of the commission on simplification would depend mainly upon the labors of its individual members. The commission as constituted was not unsuited to the task. Most of its members had been for some years in close touch with governmental affairs in Virginia, and many of them had, at one time or another, been in the service of the state, either in the administrative departments or as members of special boards or commissions. Thus it was found possible to make assignments on the basis of individual qualifications and preferences, and through a system of subcommittees, to carry out the work at a minimum cost and as effectively perhaps as if the commission had had a much larger appropriation at its command.

In addition, the commission early concluded to concentrate its attention mainly upon the administrative organization of the state government and, so far as the circumstances would permit, of county government. It was not deemed necessary at this time to enter upon the subject of city government, since under a constitutional amendment adopted in 1912, the cities of the State enjoy a large measure of autonomy and most of them have already established modern progressive forms of government.

FINDINGS AND POSITION OF THE COMMISSION

The commission made the reports of previous commissions in Virginia the starting point of its investigations. It also made an extended study of reports on reorganization and retrenchment in other states.

Conditions in Virginia, it was found, afford no exception to the general rule of waste and inefficiency due to irregular, confused, and unsystematic administrative organization. The business of the state government is now being conducted by more than 90 independent or semi-independent agencies, most of these agencies having been developed in haphazard fashion and without apparent reference to co-ordination or to duplication of work. With the emergence of each new function the tendency has been to create a new department to perform this function, little or no consideration being given to the possible utilization of departments already established.

This process has gone on in Virginia for a long time. In 1903 the state government consisted of 48 independent officers, departments, commissions, or boards. In 1910 there were 62. By 1923 the number had grown to 91, an increase of almost 100 per cent in twenty years.

To quote from the report: "The administrative agencies in the state government at present include 25 administrative officers and 66 administrative boards. Fifty of the boards are composed of appointed members, varying in numbers from three to 19, and 16 are composed of ex officio members. Ten of the officers are elected by the people and six by the general assembly. Nine are appointed by the governor, five independently and four with the consent of the senate. The governor appoints 50 boards, 22 of them with the consent of the senate. He is a member of eight of the 16 ex officio boards."

The conditions of county government in Virginia are no less confused than those of the state government. In many respects the confusion and lack of responsibility are greater. Here the boards of supervisors have limited authority as to tax levies, accounts, public buildings and roads; but they function side by side with numerous other county officers elected in the same manner as themselves. There is no central control, no unifying financial authority, in fact no head of the county government at all.

The results of this condition of affairs, both state and local, are too well understood to require restatement here. Aside from the inefficiency inevitable in such a system of administration, and the waste arising from duplication of effort and expense, the people, in the maze of boards, commissions, departments and independent officers, have no ready means of seeing how the government is conducted or of understanding it after they see. These conditions no doubt stand in the relation of both cause and effect. They are partly responsible for the fact that, according to reliable estimates, less than 25 per cent of the persons eligible to vote in the state normally appear at the polls. On the other hand, the failure of the people to take an interest in public affairs and exercise their right of suffrage is partly responsible for the conditions.

Unfortunately, there can be no reform of county government in Virginia without extensive revision of the state constitution. The system of county government is embedded in the state constitution in all its essential details. With respect to the reform of state government the conditions are more favorable. The constitution is burdened, to be sure, with unnecessary administrative details, but contrary to the general impression, it does not present an insuperable barrier to administrative reform. Of the 12 administrative departments proposed by the commission on simplification, and outlined below, eight could be established completely, and the other four in large part, without constitutional change.

PROCEDURE AND REMEDIES PROPOSED

With a view to remedying the conditions just described, the commission on simplification conducted its studies and made recommendations along three broad lines; namely, (1) proposals looking to the correction of certain outstanding individual defects of administration, for immediate action; (2) the presentation of a plan for immediate partial consolidation; (3) proposals of such amendments to the state constitution as are necessary to prepare the way for complete consolidation in the future.

Under the plan proposed by the commission, the administrative structure of the state government would eventually be consolidated into 12 departments, as follows: state, finance, education, public welfare, public health, agriculture, corporation control, labor and industry, conservation, highways or public works, law, and military affairs.

With respect to the method of appointment of department heads, the commission expressed the opinion that departments involving quasi-judicial or quasi-legislative functions, such as the state corporation commission and the state industrial commission, should be headed by boards of three members. The administrative problem here can be met, it is believed, by making the chairman of the board the chief executive officer of the department. In general the commission took the view that the other departments should be headed by individuals appointed by the governor and made directly responsible to him. Complete uniformity in this respect, however, can be attained only after the adoption of certain amendments to the state constitution.

Among the administrative details covered in the recommendations of the commission were measures looking to the establishment, alongside the division of the budget in the office of the governor, of a division of purchasing and a division of personnel, or standards in the state service. Other measures provided for abolishing all segregated funds and bringing all state departments under the budget law; improvement in prison administration; equalization of taxes and reorganization of the state tax board; payment of interest on public monies on deposit; self-insurance of the state's workmen's compensation liability; limiting the compensation of certain fee officers; uniform classification of public accounts; and a uniform fiscal year.

The plan of partial consolidation included a few changes in the departments of public health and of highways; a complete reorganization and consolidation of the several agencies connected with labor and industry into a single department, with appropriate divisions; replacement of the present scattered conservation agencies by a department of conservation with divisions of commercial fisheries, game and inland fisheries, geology, forestry, and public property; administrative changes needed to restore to the department of corporation control and to the department of agriculture certain of their divisions which, for one reason or another, have assumed independent functions; and finally some consolidations of existing agencies which may be regarded as preliminary steps in the establishment of a department of finance and a department of public welfare. Extensive changes recommended in connection with the department of education must wait upon a revision of the state constitution. Concerning the departments of law and of military affairs, the commission made no recommendations, except that federal funds expended for military purposes in the state be reported to the auditor of public accounts and listed in the statistical tables of the state budget.

With respect to county government, the recommendations contained several important proposals. These included measures providing for increased powers of local legislation on the part of county boards of supervisors, thus relieving the general assembly of a part of the burden of local legislation; optional use of the state purchasing system; uniform financial records and reports for all the political subdivisions of the state; limiting the number of commissioners of the revenue; and an amendment to the state constitution allowing optional forms of county government to be provided by law. Other proposals included such subjects as prison farms for misdemeanants and local school, health, and tax administration.

Eleven amendments to the state constitution were proposed, seven of these looking to the consolidation of administrative agencies, and four to the correction of individual administrative defects. Six referred to the educational system, two to welfare agencies, one to agriculture, one to county government and one to the establishment of a uniform fiscal year.

The commission estimated that the adoption of its immediate plans would result in an annual saving to the people of the state of approximately $1,150,000, and that an annual saving of several times that sum could be effected through the adoption of the complete plan of reorganization.

RESULTS IN THE GENERAL ASSEMBLY

The report and recommendations of the commission met with a favorable response on the part of the press and the people of the state. They received, however, scant consideration by the general assembly of 1924, whose time seemed to be occupied mainly with the election of certain state officials, with proposals to meet an impending deficit in the state's revenues, and with legislation of a purely local nature. The commission's bills, some 40 in number, were referred to the various committees, but few of them of any significance passed the stage of committee consideration. The tax equalization bill was the only one to provoke state-wide discussion.

The net result of the legislative session was, so far as the recommendations of the commission were concerned, the passage of two important measures and of a number of minor measures which may be attributed directly or indirectly to the work of the commission. The former included a bill establishing a centralized purchasing system and a bill providing for uniform public accounting and the publication annually of a statement of the comparative cost of local government as among the counties and cities of the state.

The purchasing act provides the state with a thoroughly modern purchasing system, which if properly administered, should effect a saving of several hundred thousand dollars a year. The uniform accounting act is far-reaching in its provisions, but it was passed in very imperfect form and will probably require amendment before it can be made fully effective.

The rest of the legislation is made up of some eight or ten minor measures. These include such matters as the establishment of a uniform fiscal year;

directing a study of income tax systems; abolishing the offices of state highway commissioner and of register of the land office; creation of local boards of equalization of assessment of land; composition and election of local school boards and local boards of health.

In place of the bill establishing a division of standards in the state service, a resolution was passed authorizing the governor to fix the hours in state employment and to make a study of the conditions with reference to personnel. The result has been the establishment of a seven-hour day for all state employees engaged at the seat of government.

As to administrative consolidation, the program of the commission not only failed, but the trend of legislation was distinctly in the opposite direction. One new state department was established, apparently for the sole purpose of administering a part of the laws affecting motor traffic and collecting the gasoline and automobile license taxes; and a number of special boards or commissions were created.

Of the constitutional changes proposed, but one was adopted and that the least significant. This was a resolution to amend the state constitution with reference to the dates of the appropriation year.

It is perhaps useless to speculate at this time upon the causes of this meager result. Several things, however, are reasonably clear.

The report of the commission did not appear until after the beginning of the legislative session, and time was lacking for the full significance of the report to reach either the general assembly or the people of the state as a whole. In addition, the general assembly was, as has been pointed out, engrossed in other things, particularly in plans to meet the deficit in the state's revenues and in the passage of special and local legislation, which constituted approximately two-thirds of the grist of the sixty-day session. The opportunity to meet the deficit through the elimination of expensive duplications in the state government, instead of through the imposition of additional taxes upon the people, seems to have been completely overlooked.

Of equal importance with the causes just mentioned, was, in the opinion of the present writer, the policy adopted by the commission of presenting its program in a series of separate bills, instead of combining the more important of its measures into a single administrative consolidation bill. Naturally much can be said on both sides of this question, but at any rate the result in this case was that few of the measures proposed by the commission reached the floor of either house. They were picked off for the most part in committees and subcommittees by interested persons and in such a way that it was impossible to fix individual responsibility.

But the report of the commission has not been devoid of results. It continues to be widely discussed, and aside from the legislation of 1924, it has served to focus attention upon governmental affairs and to awaken an interest on the part of the people that promises much for the future.

THE AMERICAN SUBSIDY SYSTEM

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Federal subsidies to the states have increased from $6,000,000 in 1912 to $132,000,000 in 1926. Is it not time to examine the results of this phenomenal expenditure? :: :: :: :: :: :: ::

ONE of the most extraordinary political phenomena of the last decade has been the growth of a series of federal subsidies to the state governments. Not that there is anything unusual in the granting of land and money to the states for various purposes; such a policy is almost as old as the federal government. In 1802 Ohio received certain sections of land for the use of schools, and payment was early made to the states of a portion of the proceeds from the sale of public lands lying within their borders. But the development of the last ten years has been remarkable in part because of the vast increase in appropriations, and in part because of the extension of federal supervision and control over state activities.

In 1914 congressional appropriations for distribution to the states totaled slightly more than six million dollars; the amount appropriated for the fiscal year ending June 30, 1926, was in excess of one hundred and thirty-two millions. The following table shows the purposes for which subsidies were granted:

TOTAL SUBSIDIES TO THE STATES FOR THE FISCAL YEAR ENDING JUNE 30, 1926

Education:	
Support of agricultural colleges.	$2,400,000
Support of experiment stations..	1,440,000
Co-operative agricultural extension work................	5,880,000
Farmers' co-operative demonstrations..................	1,000,000
Vocational education.........	7,167,000
Industrial rehabilitation.......	1,034,000
Total education............	$18,921,000
Highways....................	75,000,000
National Guard................	31,466,486
Forest fire prevention...........	660,000
Distribution of forest planting stock......................	50,000
Maternity and infant hygiene....	1,000,000
State fund under oil leasing act...	*5,034,178
State fund from sale of public lands......................	*14,527
Grand total...............	$132,146,191

* 1924

The above table does not tell the entire story, however. Many thousands of acres of the public domain will be transferred to the states during the fiscal year 1926. Since the close of the World War millions of dollars' worth of surplus war material has been delivered to the states for purposes of highway construction. Nearly every year the states receive in addition other grants of money which, because of their sporadic nature and the manner in which they are granted, cannot be estimated with any degree of accuracy. One hundred and thirty-two million dollars is therefore a conservative estimate of the amount annually placed by Congress at the disposal of the states.

SUBSIDY A MEANS OF FEDERAL CONTROL OVER THE STATES

For a small portion of this expenditure the federal government receives practically nothing in return. A few of the earlier acts making annual grants of money and land were passed at a time when the spirit of localism was still strong, and the measure of control given the federal government over these subsidies was small indeed. But for more than nine-tenths of the funds annually granted to the states Congress requires a definite accounting and a large measure of federal supervision and control.

An excellent example of the manner in which federal control over state affairs may be secured without violating the Constitution is found in the case of venereal disease legislation. To prevent the spread of these diseases the national government offered grants of money annually to the states, under certain conditions. One of these conditions was that each state receiving the subsidy should enact legislation concerning the travel of venereally infected persons within its borders similar to federal legislation already in force with regard to persons taking interstate journeys. The national government made itself the judge as to whether or not state laws did actually conform to its own regulations, and reserved the right to withhold future allotments if in its judgment they did not so conform.

In this manner the federal government was able practically to exercise control over intrastate commerce, a matter reserved to the states under the Constitution. Of course, the letter of that document was not violated. The states were not compelled to pass legislation satisfactory to the national authorities unless they wished to receive the federal subsidy. But the inducement proved sufficient to cause forty-six states to meet requirements, thus approaching unanimity.

Venereal disease control, essentially a war time measure, was abandoned by the federal government with the return of peace. But there are many other fields in which national uniformity and coherence are rising from the ruins of state diversity and chaos. In the last decade subject after subject formerly left entirely in the hands of the states has been brought under federal supervision by means of the subsidy system. The states have been induced to permit national inspection and regulation of their forests, their militia, their highways. Their need for constantly increasing revenues has forced the states to ask for federal financial assistance with growing frequency, and so they have been obliged to acquiesce in "informal amendments" to the Constitution, by means of which national standards are being established and national minimums enforced.

BEGINNING OF THE FEDERAL SUBSIDY SYSTEM

The present federal subsidy system had its inception in a bill introduced in the House of Representatives by Justin S. Morrill in 1857. This measure granted twenty thousand acres to each state for each senator and representative, the money from the sale of the land to be invested, and the interest used as a perpetual fund for "the endowment, support and maintenance of at least one college where the leading object" was to be, "without excluding other scientific and classical studies, and including military tactics, to teach such branches of learning as are related to agriculture and the mechanic arts."

Despite the bitter opposition of the southern members of Congress, who feared any further extension of federal authority, the bill passed both houses; but it was vetoed by President Buchanan. Again introduced in 1861, it once more faced the virulent attacks of southern critics, and it did not become law until 1862, after the withdrawal from Congress of every member from the seceding states. In its final form the Morrill Act contained little to alarm the foes of administrative centralization. It made almost no provision for the exercise of federal supervision or control over the expenditure by the states of the funds derived from the federal subsidy. All that was required was that reports should be made annually of the progress of each college, the sales of land scrip, and the use made of the proceeds therefrom.

Congress did not fix a minimum price for which the lands might be sold, with the result that most of them were disposed of at ridiculously low figures. The competition of the unsold national lands tended to force the price of the college lands down to the government price of a dollar and a quarter an acre. Some of the states that had no national lands with their borders even sold the scrip given them in lieu of land for fifty or sixty cents an acre, Pennsylvania securing but fifty cents an acre for most of its scrip, and Ohio even less.

How far short these states fell of realizing the magnificent possibilities of their endowment is made clear by comparing their action with that of the State of New York, which assigned all its scrip to Ezra Cornell at sixty cents an acre, with the understanding that he should pay for the land as he sold it, and that all receipts above sixty cents an acre should become an endowment for a university. Mr. Cornell located the scrip in the white-pine district of Wisconsin, and eventually sold most of the land at an average price of six dollars and seventy-three cents an acre. This gave Cornell University an endowment in excess of five and one-half million dollars.

AGRICULTURAL EXPERIMENT STATION SUBSIDY

The next subsidy law passed by Congress was the Hatch Act of 1887, which made an appropriation of $15,000 to each state and territory for the establishment and maintenance of an experiment station in connection with each of the agricultural colleges established under the Morrill Act of 1862. This statute made no real advance over the first Morrill Act in the matter of federal control. The only section providing for co-operative relations between the general government and the stations declared that "in order to secure, as far as practicable, uniformity of methods and results in the work of said stations, it shall be the duty of the United States Commissioner of Agriculture to furnish forms, as far as practicable, for the tabulation of results of investigation or experiment; to indicate from time to time such lines of inquiry as to him shall seem most important, and, in general, to furnish such advice and assistance as will best promote the purpose of this act." No means was provided for compelling the stations to accept and profit by this advice and assistance. There was practically no supervision over state expenditures.

SUBSIDY FOR FORESTRY PURPOSES

But in 1911 a long step forward was taken with the passage of the Weeks Act, which made an appropriation of $200,000 "to enable the Secretary of Agriculture to co-operate with any state or group of states, when requested to do so, in protection from fire of the forested watersheds of navigable streams." The Secretary of Agriculture was given wide discretionary powers, only three limitations being placed upon the use of federal funds. One was that they should be devoted entirely to the protection of private or state forest lands situated upon the watersheds of navigable rivers; another was that they should not be allotted to any state unless it had itself provided for a system of forest fire protection;

and the third, that the federal expenditure in any state should not exceed in any fiscal year the state appropriation for the same purpose. Here in embryonic form we find for the first time the characteristic features of the American subsidy system—state autonomy combined with federal supervision, and state matching of federal funds. The outstanding weakness of the act of 1911 was that it limited federal co-operation to the forested watersheds of navigable streams. These areas are but one portion of the great wooded regions requiring protection from fire. In 1924 this defect was corrected by the passage of the Clarke-McNary Law, which extended federal aid to all the timbered and cut-over lands of the forest areas of the United States. A small annual appropriation was also made to enable the federal government to co-operate with the states in the reforestation of denuded lands.

THE SMITH-LEVER ACT

Highly significant in the development of federal aid was the passage in 1914 of the Smith-Lever Act, providing for co-operative agricultural extension work between the United States Department of Agriculture and the land grant colleges in the several states, to "consist of the giving of instruction and practical demonstrations in agriculture and home economics to persons not attending or resident in said college in the several communities, and imparting to such persons information on said subjects through field demonstrations, publications, and otherwise."

This statute contained two highly significant provisions. One was the basis of apportionment of the federal subsidy. Most of the earlier laws had allotted an equal amount to every state, regardless of its needs. The new act, after granting ten thousand dollars to each state, provided that the remainder should be distributed in the proportion which the rural population of each state bore to the rural population of all the states, as determined by the last preceding federal census. This more rational method of apportionment has done much to insure the popularity of the subsidy system. If millions of dollars are to be distributed annually to the states from the federal treasury, great commonwealths like New York and Ohio cannot be expected to agree to an arrangement that will give them no more than states such as Rhode Island and Delaware. The proportionately greater needs of the larger states must be recognized. On the other hand, the ten thousand dollar subsidy to each state, regardless of its population or size, makes certain that no commonwealth will lack adequate funds to carry out a profitable program of agricultural extension work.

The other significant section of the act stipulated that "no payment out of the additional appropriations herein provided shall be made in any year to any state unless an equal sum has been appropriated for that year by the legislature of such state, . . . for the maintenance of the co-operative agricultural extension work provided for in this act." This plan of requiring the states to "match the federal dollar" has been incorporated in all subsequent legislation granting federal aid, and has proved of great value. Not only has it stimulated local initiative and created a feeling of local responsibility, but it has vastly increased the funds available for co-operation between the federal government and the states.

The work of administering the Smith-Lever Act is entrusted to the office of co-operative extension work of the Department of Agriculture, and is carried on by county extension agents.

The county agent, so called because his work is usually limited to a single county, receives his salary in part from the federal government, and in part from state or local funds. He is responsible to the state extension director, but must conform to federal regulations respecting reports of work performed, leaves of absence with or without pay, and the like. He is thus a representative of both the federal and state governments, forming in his dual capacity the link necessary for thorough understanding and sympathetic co-operation between the nation and the states.

The county agents are usually selected from among the graduates of the agricultural colleges. Their duty is to disseminate information regarding proper methods of farming, and this they do, wherever possible, by means of personal contact with the rural population. They conduct actual demonstrations on the farmers' own land, explaining the proper use of fertilizers and showing how to prune, spray and otherwise care for trees. They explain the need for terracing the farms and encourage the erection of silos. They even furnish plans for homes, suggest how farm buildings should be constructed, help establish new pastures, and renovate old. Through the Bureau of Agricultural Economics they sell nitrate of soda direct to the farmers. Women employed as demonstrators carry on similar work in and about the homes. They teach gardening and poultry raising, and show how to preserve foods. The family dietary is given special attention, and suggestions are made for increasing the conveniences and comforts of rural life. Women and girls are taught how to sew.

In many other ways the county agents render themselves almost indispensable to the farming population of the country. They answer thousands of requests for information coming to them by mail, and distribute the publications of the United States Department of Agriculture and of the state agricultural colleges, in addition to preparing articles of their own for publication. They visit the schools of the counties in which they work, frequently giving advice in outlining agricultural courses; and at fairs they give demonstrations. Perhaps their most important work, however, is the organization of county farm bureaus, consisting of men, women and children. These bureaus are voluntary associations which stimulate a spirit of friendly rivalry among the farmers, and aim for the improvement of agriculture. Boys and girls are encouraged to form teams and enter into competition as to the largest pig raised or the greatest amount of fruit and vegetables canned. Throughout the South special help is given the negro. Colored agents, about one hundred and fifty in number, work exclusively among their own people; but white agents are instructed to aid the negroes in every way possible. Farmers' co-operative demonstrations are now carried on with additional funds provided by Congress.

FEDERAL AID TO HIGHWAYS

In 1916 the construction of highways was brought under the federal subsidy system. The statute passed in that year provided in sweeping terms for federal supervision and control of the public roads of the United States. It made large appropriations, to be expended by the Secretary of Agriculture, in co-operation with the highway departments of the several states, in the construction of rural post roads. Reconstruction and improvement of the highways, including the erection of necessary bridges and culverts, were to be a part of the work done by the federal government; but maintenance, including the making of needed repairs and the preservation of reasonably smooth surfaces, was made an obligation which the states must fulfill in order to receive federal allotments. The statute provided that "if at any time the Secretary of Agriculture shall find that any road in any state constructed under the provisions of this act is not being properly maintained he shall give notice of such fact to the highway department of such state and if within four months from the receipt of said notice said road has not been put in a proper condition of maintenance then the Secretary of Agriculture shall thereafter refuse to approve any project for road construction in said state . . . whose duty it is to maintain said road, until it has been put in a condition of proper maintenance." This clause put into the hands of the federal government a most effective weapon for enforcing federal maintenance requirements.

The Bureau of Public Roads, which administers the law, has taken every precaution to safeguard the use of federal funds. For administrative purposes it has divided the country into thirteen districts, and assigned to each a district engineer, authorized to supervise all road work, and deal directly with the state highway departments of his district. In addition, one or more resident engineers have been placed in each state carrying on an extensive program of road building. Under the procedure finally worked out the state highway department submits to the district engineer an application, known as a project statement, for each road it proposes to construct or improve. This statement, filled out on standard forms prescribed by the Bureau of Public Roads, shows in detail whether the project conforms to the requirements of the federal law, whether adequate state funds are available for construction, and whether the project correlates properly with the other highway work of the state. It also makes clear the administrative control of the project and the responsibility for it, the adequacy of the plans, the provision for maintenance, and the approximate amount of federal aid desired. The method and type of construction and the materials to be used are set forth in such detail as to simplify the task of federal supervision.

The plans submitted by the state highway department are carefully examined by the district engineer, and upon his recommendation the state is permitted to proceed with construction. More than half of the project statements handled are passed by the district offices in an average of five days, and they are then sent for final inspection and approval to the central office at Washington, where a separate division of the engineering force has been organized for this purpose. When an application is found to be satisfactory, the state highway department and the Treasury Department of the United States are so notified, and a formal project agreement is signed between the federal government and the state. As the work progresses, or upon its completion, payments are made from federal funds.

The number of project statements submitted is very large, rising some months as high as four hundred; and each one requires careful checking and scrutiny. Every effort has been made to facilitate the work, and large powers have been vested in the district engineers. These federal representatives are permitted to decide upon proposed changes in the plans of projects under construction without authority from the headquarters office even when such changes involve an increase in the amount of federal funds required. By an understanding with the state claims are not submitted for less than one thousand dollars, this arrangement reducing the number of vouchers about thirty per cent. In order to take care of the large number of incorrect claims, numerical errors, and the like, five per cent of the amount earned by each state is uniformly withheld at Washington for a short period after the balance has been paid.

Every precaution has been taken by the Bureau of Public Roads to guard against a misuse of the federal subsidy. Materials for the construction of each project are tested prior to use, except when standard materials are designated. If a contract is awarded to any other than the lowest responsible bidder, the general government pays to the state only its pro rata share of the lowest responsible bid, unless satisfied that the acceptance of the higher offer was justified. An investigation is made in connection with each project submitted to make certain that the proposed road is of sufficient general importance to warrant federal coöperation. This does not mean that all roads must be national in character. On the contrary, many of them are the type favored by the farmers, radiating from market and shipping points into the surrounding country. This local species of road has been the main beneficiary of federal grants in the thickly settled states of the East, where highways of national importance were constructed years ago; while in the more sparsely populated West national roads have received by far the larger share of the subsidy.

APPROPRIATIONS FOR THE MILITIA OR NATIONAL GUARD

Enough has been said to make clear the manner in which the federal government enforces its requirements, and the other subsidies may therefore be treated in considerably less detail. As early as 1808 Congress began to make appropriations for arming and equipping the militia of the states, but it did not attempt to enforce national standards of any sort until 1886, when it attached to the appropriation for that year the proviso that "no state shall be entitled to the benefits of the appropriation apportioned to it unless the number of its regularly enlisted, organized and uniformed active militia shall be at least one hundred men for each senator and representative to which such state is entitled in the Congress of the United States." No administrative machinery was provided for enforcing this requirement, however, and the states were virtually free to obey or disregard it as they saw fit.

Acts passed in 1903 and 1908 extended congressional control, and in 1916 the National Defense Act provided in sweeping terms for federal supervision and control of the militia. Several times amended, it has made possible the creation of a nationally organized body of state troops auxiliary to the regular army, and similarly equipped and disciplined. The word "militia" was dropped altogether, the term "National Guard" appearing in its place. The change in phraseology is significant. In its final form the statute fixes the number of men ultimately to be enlisted at eight hundred for each senator and representative in Congress, and authorizes the President to prescribe the unit or units, as to the branch of service, to be maintained in each state. The qualifications for officers of the National Guard are enumerated in detail. They are to be drawn only from certain specified classes, and are to be examined as to their physical, moral and professional fitness by a board appointed by the Secretary of War.

Each company, troop, battery and

detachment in the National Guard is required to assemble for drill and inspection at least forty-eight times annually, and to participate in encampments at least fifteen days, credit being given only for training of a prescribed character and duration participated in by a minimum number of officers and men. The period of original enlistment, after several changes, has finally been fixed at three years. Even the kinds of courtsmartial to be used in the National Guard are specified by the National Defense Act, which sets forth minutely their jurisdiction and powers.

MISCELLANEOUS SUBSIDIES

A number of other subjects, none of them placed within the scope of congressional action, either expressly or impliedly, by the Constitution, have been brought under federal supervision by means of the subsidy system. The most important of these are vocational education, the physical and economic rehabilitation of those injured in industry, and the promotion of the welfare and hygiene of maternity and infancy. Subsidies are also given for the eradication of the foot-and-mouth disease and for arresting the ravages of the pink boll-worm and other pests. In every case a large amount of federal control is required.

ARGUMENTS PRO AND CON

The rapid growth of the American subsidy system in the last decade has forced it upon the attention of men in public life, and has subjected it to the attacks of a host of critics. The objections raised are much the same as those advanced against any form of centralization. One group of opponents still advances the old arguments of the ante-bellum states' rights school. Subsidies, we are told, are leading to the development of a despotic central government which will absorb the powers of the states and menace the private liberties of their citizens. The federal government is pictured as a giant octopus, reaching out with greedy arms to rob the people of their rights. The specter of an omnipotent and merciless bureaucracy is conjured up to afright the timid. The people are warned "to halt the destructive processes that are transferring all of the powers of local self-government to remote and irresponsible bureaus in Washington." The fallacy of this line of reasoning is obvious. Few people will accept a creed which implies that the state legislatures represent the people, while the national Congress does not; that the states are the jealous guardians of the civil liberties which a rapacious federal government is constantly striving to destroy.

Somewhat different, however, and much more difficult to refute, are the arguments of those who maintain that the rapid expansion of federal power will overburden the general government, and will inevitably lead to a breakdown of federal administration. They willingly admit that the work of government should be performed by that unit of government best fitted to perform it, and they acknowledge the superior efficiency of federal administration as compared with that of the states. But they add that this superiority is attributable to the smaller amount of work performed by the national government, and will speedily disappear when many of the duties now performed by the states are transferred to Washington. In this they may be correct. There may be a point beyond which federal administration will cease to function satisfactorily. But we have not yet reached that point. There can be no doubt that the supervision and control which the federal government has exercised over state activities during the last decade by means of its subsidy system has brought about distinctly higher standards in the state boards and departments affected.

A SUBSIDY ACT BEFORE THE SUPREME COURT

When federal grants had reached sufficient size to attract general attention, their constitutionality was questioned on the ground that they were an illegal attempt by Congress to legislate within the field of powers reserved exclusively to the states. In the spring of 1922 the Attorney General of Massachusetts gave an opinion that the Sheppard-Towner Act for the promotion of the welfare and hygiene of maternity and infancy was unconstitutional, and shortly afterward Massachusetts brought suit to prevent its enforcement. The Sheppard-Towner Act was well chosen for the test, because it dealt with matters clearly beyond the scope of direct action by Congress. Had some other law, such as the Federal Highway Act, been chosen, it might well have been replied that the Constitution itself vested in Congress the power to establish post offices and post roads. But no such retort was possible in considering the care of maternity and infancy.

The opinion of the Supreme Court was delivered on June 4, 1923, in the joint cases of Mass. *v.* Mellon and Frothingham *v.* Mellon. The court dismissed the cases without considering the constitutional questions involved, on the ground that the mere question of congressional usurpation of state powers, when no personal or property rights were directly affected, was political rather than judicial in its nature, and therefore not subject to court action. The Supreme Court made several interesting statements, however, in the course of its decision, which, while in the nature of *obiter dicta*, yet make clear the attitude of the highest court of the land towards the subsidy system. "It is alleged," said the court, "that the statute constitutes an attempt to legislate outside the powers granted to Congress by the Constitution and within the field of local powers exclusively reserved to the states. Nothing is added to the force or effect of this assertion by the further incidental allegations that the ulterior purpose of Congress thereby was to induce the states to yield a portion of their sovereign rights; that the burden of the appropriations falls unequally upon the several states; and that there is imposed upon the states an illegal and unconstitutional option either to yield to the federal government a portion of their reserved rights or lose their share of the moneys appropriated. But what burden is imposed upon the states, unequally or otherwise? Certainly there is none, unless it be the burden of taxation, and that falls upon their inhabitants, who are within the taxing power of Congress as well as that of the states where they reside. Nor does the statute require the states to do or yield anything. If Congress enacted it with the ulterior purpose of tempting them to yield, that purpose may be effectively frustrated by the simple expedient of not yielding." These words seem to remove all doubt as to the constitutionality of federal subsidies to the state governments.

EXPEDIENCY AND OTHER CONSIDERATIONS

The question of expediency remains, and will probably remain a subject of dispute as long as subsidies are granted. Whether good or bad, however, there can be no doubt that subsidies have proven extremely popular. The state legislatures have had to face a demand for a constantly higher standard of governmental service—for better schools, for better roads, for better protection. At the same time they have been met with an equally insistent demand for no further increase in the burden of taxation. The problem of getting more money without raising tax rates has become acute. State legislatures have searched diligently for new sources of revenue, and one of the most prolific sources they have discovered has been the federal treasury. The general government has been willing to aid the states financially on its own terms, and the slight circumstance of accompanying federal supervision and control has not restrained the states from seeking federal grants. Nearly every state has accepted all or nearly all the subsidies proffered by the general government. Even Massachusetts, while protesting the constitutionality of the system before the Supreme Court of the United States, was receiving millions of dollars in the form of various subsidies.

The growth of federal grants since 1912 is as follows:

Year	*Amount*
1912	$6,060,483.60
1913	6,642,300.18
1914	6,205,679.21
1915	12,121,227.91
1916	9,625,568.79
1917	53,418,073.41
1918	48,068,415.73
1919	87,816,144.50
1920	122,230,144.51
1921	137,478,785.51
1922	180,463,450.03
1923	108,161,408.69
1924	126,268,056.30
1925	128,300,238.44
1926	132,146,191.55

The decrease since 1922 is the result of smaller appropriations for highway construction. Large sums are still spent on the work, however; and highway grants at present represent considerably more than fifty per cent of all subsidies. The National Guard and education are also important items, as will be seen by referring to the table at the beginning of this article showing the amounts of the several appropriations for the fiscal year ending June 30, 1926.

A word should be said in conclusion as to the necessity for a definite subsidy program. Grants are made by Congress without any coherent program before it. Some are made for objects of doubtful worth; nearly all are made without regard to the amount necessary to stimulate local authorities to the highest degree of efficiency. Subsidies are granted for the most part on the basis of population; and population is at best a poor yardstick with which to measure local needs. The percentage of the total cost of performing each function of government which is borne by the nation as a whole varies from seventy per cent of the total expense of maintaining the National Guard to one and one-half per cent of all public expenditures for education. Some grants are made to the states unconditionally; others are made only in exchange for a large measure of federal supervision and control. If subsidies have become an established and essential part of American federal administration—and such seems to be the case—then Congress should determine without delay what principles are to guide the future distribution of federal funds to the states.

RECENT BOOKS REVIEWED

Social Pathology. By Stuart A. Queen and Delbert M. Mann of the Department of Sociology, University of Kansas. Crowell's Social Science Series. New York: Thomas Y. Crowell Company, 1925. Pp. 690.

This volume is a timely one. There has probably never been a period in the history of this country when there was greater need for clearer understanding of the nature and interrelation of the active and predisposing causes of what the authors call "social disorganization and personal demoralization." To such clearer understanding of the signs, symptoms and manifestations of social pathology, this book is a valuable contribution. Although designed as a textbook for students who are presumed to have had preliminary instruction in biology, psychology, economics and sociology, the book deserves a much wider audience of students and teachers of the political and social sciences, public officials and citizens generally. It could be read with profit by anyone who believes that a better social order is worth thinking about, and it is especially recommended to those who are concerned with the adjustment of public administration to meet the growing demand for better social control.

Part I of the book, "Family Disorganization and Personal Demoralization," deals with the problems of widowhood, divorce, desertion and non-support, care of dependent and neglected children, "difficult" children, illegitimacy, prostitution, homeless men, and the unadjustments of old age. Part II, "Economic Aspects of Social Disorganization and Personal Demoralization," takes up standards of living, irregular work and unemployment, women in industry, child labor, fatigue, industrial accidents and disasters. Part III, "Health Aspects of Social Disorganization and Personal Demoralization," treats of broken health in general and the special problems of tuberculosis, diseases of the heart, the crippled and disabled, the blind and the deaf, nervous and mental diseases, mental deficiency, alcoholism and drug addiction. Part IV, "Conclusions," summarizes other and somewhat less significant but important aspects of the problem and emphasizes the need of more and better research, honest news gathering, wider dissemination of facts, discussion of facts and social action based on public opinion thus formed.

The general program advocated is best expressed in the author's own words. "The solution of the problems of social pathology requires not only the remaking of personality, but also the reorganization of the social order through an economic program, a health program, a mental hygiene program, an educational program and a program for the making of public opinion. To a large extent these are all programs of education and legislation."

As an interpretation of the signs and symptoms of social pathology and their causes, the volume leaves little to be desired. Its material is logically arranged, the theme well developed, and the exposition supported by a carefully selected body of statistical and other data. Each major topic of discussion is introduced by an appropriate case record taken from the files of a social service agency, in which the outstanding elements of the particular problem of social pathology are clearly portrayed. There is no better way for the student of sociology to come to grips with his subject than by first-hand study of human behavior in the varied situations with which social workers are called upon to deal. To the general reader this method of approach will be found equally helpful and stimulative. In matters on which there is difference of opinion either as to social diagnosis or treatment, the authors have been careful to present the different points of view fairly and without bias; but they have not hesitated to express fully their judgments as to the weight of evidence. The great difficulty, which is as apparent to them as to all others who have attempted to suggest a constructive program of social betterment is that an adequate fact basis for social control has not yet been laid.

From the reviewer's point of view, the chief contribution of the authors is in rounding out in a single volume a clear cut logical presentation of all or at least the essential problems of social pathology, and in showing clearly their close interrelation for purposes of prevention and treatment. It would be unfair to criticize this presentation because it makes little attempt to indicate what the responsibility of government ought to be in solving the problems stated. The authors have disclaimed any intention of outlining an organization of community forces for social betterment, but those of us who are called upon to suggest practical programs of government for dealing with the pathological conditions described may be pardoned for wishing that greater consideration had been given to this matter. Any really constructive program for the prevention and treatment of social disorders must find its basis in good government. One of the major problems of modern government administration is that of co-ordinating the various forces and agencies of the community in such a way and under such direction that scientific research can be provided for, public education promoted, public opinion moulded and practical measures of social control carried out.

The volume is well edited and well printed. The special bibliographies at the end of the chapters have been made up with good judgment and comprise the best of the literature on the special subjects considered. Appended to each chapter is an outline of "Projects for Further Study" which will be found useful not only to teachers and students but to members of civic and social agencies generally. We venture to say that any one who wants to know how inefficient society really is in solving its own problems need but follow out a few of the many projects selected. In fact these projects if thoroughly carried out by any body of intelligent citizens would be almost certain to bring about some striking changes in the organization of community forces for social control. We heartily recommend these projects for study by all those who are interested in finding out why there is "social disorganization and personal demoralization" in their own communities. A detailed descriptive table of contents, a name index and a general subject index contribute materially to the usefulness of the book for reference purposes.

C. E. McCombs.

Travelling on the Democratic Donkey. By Clement G. Lanni. Rochester, N. Y.: Alliance Press, Inc., 1925. Pp. 220, no index.

A bright and earnest young Democrat of Italian ancestry and hectic newspaper experience jests through his tears as he tells in human and humorous detail how "Uncle" George W. Aldridge nailed down both Rochester city and Monroe County in the Republican column. Whoever travelled on that Democratic donkey, "Uncle" George seems to have driven it.

The value of this book, which must not be held lightly, is in the author's opinion fairly typical of politics in an American city of to-day. One wonders at times what all the fuss is over. There may be two many parties, officials, elections, leaders, etc., etc.

The fundamental political factors (p. 32) are in order of weight: "economic conditions, newspaper support, the organization, the issues, the candidates, money." Voters are "broadminded on religion and race" (p. 40). "I have never seen a case of buying votes at the polls" (p. 35). Politicians must be serious: "Mr. Maher wrote poetry and lost votes" (p. 53).

Upstate follows New York—Governor Smith practically named the new Democratic leader of Monroe County in 1923 (p. 131), but the complications of Hearst, Hylan and Tammany are not very close with those of Albany.

"The voters are the easiest to please" (p. 97), while office-hunting, hand-shaking and back-slapping are not good modern methods (pp. 142–3). "The most difficult phase of politics" is reconciling the leaders (Chap. X). Poor local leadership has made Rochester Democrats scarce as "frog's feathers" (p. 58).

One closes the book with regret that the author did not consider some such simplification of politics as the Clark plan.

W. L. Whittlesey.

Princeton University.

ITEMS ON MUNICIPAL ACTIVITIES ABROAD

BY W. E. MOSHER

Local Legislation in England.—Mr. I. G. Gibbon, of the Ministry of Health, Great Britain has brought together in a thirteen-page statement a summary of the development of the methods of enacting local legislation for English municipalities. This is an admirable presentation, well organized and remarkably simple.

One of the chief features that is claimed to be characteristically British is the willingness of Parliament and the authorities of the central government to permit experimentation by individual municipalities. The writer asserts that Parliament would hesitate to make a grant of authority over specific functions to all cities, whereas it might freely give authority over the same issues to individual cities where special circumstances make it desirable. As a result of this policy certain innovations have been tried out here and there in one or more towns, and, having proved successful, have gradually been extended until they are adopted generally. The writer cites as illustrations the Poor Act, the Public Health Act and certain acts governing infectious diseases. In this way local legislation becomes a "laboratory of social law." This process of muddling through has proved, in Mr. Gibbon's judgment, to have been remarkably effective for practical problems. He holds himself ready to elaborate "a philosophy of muddling through," and justifies it on the basis of practical results. He would further justify it in the name of democratic procedure.

The second feature that is worthy of emphasis is the tendency on the part of Parliament to delegate more and more authority with reference to lesser matters to the various departments of the central government. Through these, special powers are conferred on local authorities that at an earlier time would have been sought from Parliament. Such orders are, of course, to be made only within statutory limits on the one hand and are subject to parliamentary check on the other, in that members of Parliament have the right to raise questions about any activities of the various governmental departments.

There is provision, of course, that orders of certain types shall be laid before Parliament individually, either before they are issued or before going into effect. Again in some questions it is necessary that they lay on the table of both houses for forty days. It is pointed out further that the departmental orders issued under parliamentary supervision have become more and more customary.

The machinery for the handling of local legislation by and before Parliament is treated in brief paragraphs. A condensed review of the historical origin and development of these methods is also included.—*Journal of Public Administration, July, 1925, pp. 218–231.*

✢

"Capitolium"—A new Italian Municipal Journal.—The sub-title of this new Journal, the first number of which appeared in April, 1925, is the "review of municipal activity in Rome." It is profusely and beautifully illustrated and obviously aims to increase the civic pride and spirit of the citizens of Rome. The numbers that have already appeared indicate a very active and forward looking municipal spirit. In a single number, for instance, are found reports concerning the plan for rebuilding the business district and the endowment of a chair of municipal life in the University. Plans for adult education, the development of a vacation resort for children, the training of young girls and women to assist in the care of children and child-bearing mothers in community houses, the issuance of a new code covering the organization and functions of the bureau of hygiene, the requirement for the position of public guide and, finally, a statistical table concerning the cost of living for a typical family. Several of these matters are of interest to students of public affairs far removed from the Eternal City.

In the first place, the establishment of the university chair on municipal life merits attention. The scope of the courses covers a consideration of public institutions, of municipal laws, the treatment of the unemployed, orphans, and the like; the number and distribution of the population, transportation facilities, the school system and its problems, newspapers and newspaper circulation are to be given consideration; further, the artistic side of city life for the purpose of introducing the students to the art museums, gardens, parks, etc., is to come in for its share of attention. Provision is made for reviewing these various phases of city life and also for criticizing them and for the presentation of new suggestions.

The importance of providing for the fruitful and recreative use of the leisure of workers is recognized, in that the municipal government has appointed a body to outline what might be called an after-work program. This involves not alone education but means of entertainment and recreation. The government has declared itself ready to provide instructors, radio and cinema equipment, musical instruments and public buildings where such programs can be carried out.

On the economic side, the problem of stabilizing the prices in the great market of Ostia Mare is recognized and plans have been inaugurated for making an investigation for it.

The cost of living figures for a typical family are in line with similiar data provided by public statistical organizations. These figures are organized on a monthly basis and cover the period from 1913 to June, 1925, with 1914 taken as the base. The increases for the various items are surprising. Under food for instance, the increase has been from 100 to 521 in the period of 11 years; in clothing the increase has jumped from 100 to 489; heating from 100 to 329.

One or two minor items are of special interest. The one as to the requirements to be met by public guides. They are expected to pass examination in Italian and at least one foreign language, in which archaeology is featured. A second item, both surprising and difficult to explain, is the dearth of applicants for administrative positions in municipal government. Because of this dearth it has been found necessary to eliminate entirely the civil service examinations and to invite applicants to apply whenever there are vacancies.

Those interested in public health and hygiene will find a detailed summary of the provisions of a new set of ordinances covering health and hygiene. The bureau of hygiene is established and given extensive responsibility for controlling the health conditions of the people. In this summary it appears that the city of Rome has followed the plan for centralizing responsibility for health, hygiene and vital statistics along lines now found in many of our modern progressive cities.—"*Capitolium,*" *June, 1925.*

STATEMENT OF THE OWNERSHIP, MANAGEMENT, CIRCULATION, ETC.,

Required by the Act of Congress of August 24, 1912,

Of NATIONAL MUNICIPAL REVIEW, published monthly at Concord, New Hampshire, for October 1, 1925.

State of New York, County of New York, SS.

Before me, a Notary Public in and for the State and county aforesaid, personally appeared Grace R. Howe, who, having been duly sworn according to law, deposes and says that she is the Business Manager of the National Municipal Review, and that the following is, to the best of her knowledge and belief, a true statement of the ownership, management (and if a daily paper, the circulation), etc., of the aforesaid publication for the date shown in the above caption, required by the Act of August 24, 1912, embodied in section 443, Postal Laws and Regulations, printed on the reverse of this form, to wit:

1. That the names and addresses of the publisher, editor, managing editor, and business managers are:
Publisher, National Municipal League, 261 Broadway, New York.
Editor, H. W. Dodds, 261 Broadway, New York.
Managing Editor, None.
Business Manager, Grace R. Howe, 261 Broadway, New York.

2. That the owner is: (If the publication is owned by an individual his name and address, or if owned by more than one individual the name and address of each, should be given below; if the publication is owned by a corporation the names and addresses of the stockholders owning or holding one per cent or more of the total amount of stock should be given.) The National Municipal Review is published by the National Municipal League, a voluntary association, incorporated, 1923. The officers of the National Municipal League are Frank L. Polk, President; Carl H. Pforzheimer, Treasurer; H. W. Dodds, Secretary.

3. That the known bondholders, mortgagees, and other security holders owning or holding 1 per cent or more of total amount of bonds, mortgages, or other securities are: None.

4. That the two paragraphs next above, giving the names of the owners, stockholders, and security holders, if any, contain not only the list of stockholders and security holders as they appear upon the books of the company but also, in cases where the stockholder or security holder appears upon the books of the company as trustee or in any other fiduciary relation, the name of the person or corporation for whom such trustee is acting, is given; also that the said two paragraphs contain statements embracing affiant's full knowledge and belief as to the circumstances and conditions under which stockholders and security holders who do not appear upon the books of the company as trustees, hold stock and securities in a capacity other than that of a bona fide owner; and this affiant has no reason to believe that any other person, association, or corporation has any interest direct or indirect in the said stock, bonds, or other securities than as so stated by her.

Grace R. Howe,
Business Manager.

Sworn to and subscribed before me this 9th day of October, 1925.

F. GEORGE BARRY,

Notary Public, Westchester Co., New York; Certificate filed in New York Co., No. 321. New York County Register's No. 7348. Commission expires March 30, 1927.

NOTES AND EVENTS

BY A. E. BUCK

Municipal Budgetary Control.—Much attention has been given to the preparation and enactment of the municipal budget plan, but little attention, as yet, has been given to the administration of that plan. This latter phase needs greater emphasis. It is highly important in the operation of a budget system.

Several cities, mainly manager cities, are beginning to appreciate this fact. Berkeley, California, recently inaugurated a system of budgetary control which is based upon the idea of executive allotments. This system was installed by Mr. J. H. Jamison, who is at present the budget control officer appointed by the manager of that city. Under this system the appropriations, made more or less in lump-sum amounts, are divided into monthly allotments, or "splits," by the heads of the various city departments. These allotments are made at the beginning of the fiscal year and follow the work program of the department. They are approved by the manager and set up on the ledger of the budget control officer. This officer approves all orders, payrolls, and bills, so he knows at any time the unencumbered balance of each allotment. If proposed purchases exceed an allotment, they are not made, except in cases of emergency, but are carried to the next month. In case there is an unexpended balance of an allotment at the end of a month, it is carried over and added to the allotment of the same appropriation for the following month. The budget control officer prepares a report for the manager and the department heads at the end of each month, showing the operation of the allotments during that month. This system enables the manager to know the rate at which departments are making expenditures, to regulate the outgo somewhat in keeping with the inflow of revenues, and to predict several months before the end of the year what the financial condition of the city is going to be as of that date.

◆

The Court of Appeals Hands Down an Opinion on New York Home Rule Amendment.—On October 7, the Court of Appeals handed down its opinion on the New York home rule amendment. This court had, by unanimous decision on September 2, reversed the unanimous decision of the lower court. The opinion was written by Judge Benjamin N. Cardozo, who is known among the legal profession for his clear and facile style.

Judge Cardozo swept aside the contentions of the appellate division on the irregularity of the amendment. He said: "As there was nothing in the situation misleading to the legislature, so there was nothing in it misleading to the voters." As to the holding of the lower court that "this" constitution in 1923 was not the same as "this" constitution in 1922, Judge Cardozo said: "Such niceties of verbal criticism do not help to determine the meaning of a great instrument of government." The constitution, he added, "has an organic life in such a sense and to such a degree that changes here and there do not sever its identity. 'This' book is one, though in its later editions words or phrases have been added, just as 'this' body is one, though its members may have grown."

Judge Cardozo admitted the duty of the court to adhere to the limitations put upon the manner of changing the constitution. "Not less imperative," he said, "is our duty to refuse to magnify their scope by resort to subtle implication. When an article of the constitution has been ratified by popular vote after acceptance by two legislatures, separately chosen, the courts would be discrediting constitutional government rather than supporting it if they were to hold that limitations read into the text of the constitution by dubious construction could nullify the mandate of the people and the people's representatives."

The opinion declared that New York City had no right to engage in the operation of bus lines, that under no constitutional enumeration of the local laws a city may pass can a law putting it into the common carrier business be justified.

◆

Studies by the Vancouver Bureau of Civic Research.—The recently established Vancouver Bureau is issuing a bulletin under the caption of "Informed Citizenship." Bulletin No. 4 of this series contains a concise presentation of the water problem of greater Vancouver. It gives a map of the present water works system and discusses the present situation, consumption of water, and possible development of the water system. It is proposed that the greater Vancouver water district be incorporated and placed under an administrative board, consisting of one member from each of the outside municipalities and a quota from the city equal to one more than all the others combined. The actual administration is to be carried on by a small group of not more than three members, possibly only one member. It is to be provided that the district take over the Vancouver waterworks and other municipal waterworks on the following basis: "Payment of cash equal to the 'actual cost' of the works, except maintenance and repair, less the outstanding bonded indebtedness against them; annual payments equal to the fixed charges for the debt until it is extinugished."

✣

Property Assessments in New York City for 1926.—The assessed value of real estate in New York City has reached the gigantic sum of $17,119,000,000, according to a recent statement given out by the department of taxes and assessments. About $4,700,000,000 of this amount is the assessed valuation of tax exempt property. By deducting this latter amount, the tentative assessment for 1926 is $12,419,000,000, or an increase of $2,077,000,000 over that of 1925. The total personal property assessed in the city amounts to $960,000,000.

The highest assessed office building is the Equitable Building, with an assessment of $31,000,000. The highest hotel assessment is that of the Waldorf, $12,600,000. Among the theaters, the Metropolitan Opera House stands at the top, with a valuation of $4,350,000. An apartment house on Madison Avenue between 85th and 86th Streets is valued at $5,400,000. These are only some of the "high spots' in the tax lists.

✣

Duluth's Budget for 1926.— The Taxpayers League of St. Louis County, Minnesota, has made an analysis of the proposed budget for 1926 of the city of Duluth. This analysis presents a clear picture of the proposed budget in 18 printed pages. It opens with a statement of what the budget does which is worth quoting.

> The budget balances income and outgo, helps reveal and eliminate unnecessary and extravagant expenses, gives citizens a correct picture of the character and cost of the numerous activities, and develops a "budget conscience" in public officials in proportion as public interest and understanding are manifested.

Government and Activities of Milwaukee.—The report to the common council of Milwaukee on the activities of the city departments, boards and commissions for 1924 is an interesting document. It is compiled and edited by Frederick N. MacMillin, municipal reference librarian. The report is readable and not excessive in length —107 pages. It is well illustrated with pictures and a few graphs. Few annual reports of city governments have these essential characteristics.

✣

Fourth Annual Report of the National Budget Bureau.—General Lord, director of the bureau of the budget, has made the fourth annual report of this bureau to President Coolidge. This report of 200 pages covers the various activities of the budget bureau. A large part of it is taken up with the reports of the chief co-ordinator and the co-ordinating boards and agencies, and departmental economies brought about through changes in the methods of handling government business. In the front of the report is a summary statement of the year's work of the budget bureau. While this report shows accomplishment through the efforts of the budget bureau, there is evidently a tremendous amount of work still to be done if the national government is to run on anything like a business basis. To think that the establishment of the budget bureau has solved the problem of national economy is to content ourselves with form rather than substance.

✣

A Regional Plan for San Francisco and Vicinity.—As a result of the research work done by the City Planning Section of the Commonwealth Club of San Francisco, the Regional Plan Association has been "organized to formulate and promote a comprehensive plan of development of the bay counties." In planning for the future development of this territory, an exhaustive survey of the physical, economic, industrial, and social conditions is to be made of the greater part of nine counties adjacent to San Francisco Bay. This survey will be made by Harland Bartholomew, city and regional planning engineer of St. Louis.

The territory to be covered by the survey extends, approximately, 60 miles north, 30 miles east and 50 miles south of San Francisco, covering an area of about 4,000 square miles and including about 1,500,000 population. There are 59 incorporated cities and towns in this area, including Healdsburg on the north, Antioch on the east, and Los Gatos on the south.

✣

Reforestation of Municipal Watersheds in New York State.—Forty cities in New York State are planting forests on watersheds for the protection of municipal water supplies. More than 10,000 acres of young forests have been planted, the oldest being sixteen years. This reforestation was begun in 1909. Since that time the state conservation commission has furnished from its nurseries more than 10,000,000 trees for this purpose.

Rochester has been planting trees since 1909, so its watershed now contains more than 1,000,000 trees. Glens Falls began planting trees in 1910 and will soon have its entire watershed covered. Saratoga Springs has planted almost 1,300,000 trees on the hills around its reservoirs. Troy has planted 500,000, and Little Falls almost as many.

In most cases the reforestation work is carried on by the city water department, operating under the name of water bureau, water-works department, water board, or water commissioner. Sometimes the department of public works has charge of this work, as is the case in Troy, Binghamton, and Poughkeepsie.

✣

Lynchburg's Annual Report.—City Manager E. A. Beck of Lynchburg, Virginia, has issued an annual report on the city's activities for the fiscal year ending January 31, 1925. It is an attractive report from the standpoint of typography and general set-up. All activities of the city government are reviewed, with special emphasis on the financial side. The use or circle and bar charts and map diagrams help to illuminate the facts and figures presented. A number of illustrations are included in the report to good effect. This report should help to popularize the work of the city government.

✣

Cost of Kansas City Government.—The Kansas City Public Service Institute has issued an analysis of the receipts and expenditures of the city government from 1913 to 1924. During this eleven-year period, the operating cost of the government was almost $46,000,000 and the capital outlay cost slightly over $34,000,000. Of this latter amount, over 75 per cent was raised from special assessments.

✣

City Manager Government for Rochester.—Before this note reaches our readers, it is almost certain that Rochester, New York, will have adopted the city manager plan. The election on the plan comes on November 3. Already 70,000 voters have signified their approval of the plan. The City Manager League is making a vigorous campaign in the city. The Bureau of Municipal Research has also done valiant service in behalf of the manager plan.

✣

Giant Power Report.—The report of the giant power survey board of Pennsylvania is a comprehensive treatment of the various phases of giant power. Governor Pinchot has briefly summarized the report in his message of transmittal published with the report. This report was submitted to the 1925 legislature. The report discusses railroad electrification, mine mouth power plants, gasoline from coal, farm electric service, national defense, power for industry, city gas supply, coal pretreatment, public utility regulation, interstate treaties, 220,000 volt transmission, water power development, condensing practice, cost of electric current, anthracite culm, landscape beauty, water storage, electricity in the home, and other subjects of general interest.

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EDITORIAL COMMENT

William Allen White on the Budget System A little while ago the nationally-known editor of *The Emporia Gazette* wrote us a letter in which he made the following comments on the budget system:

> I do wish you to know, and your readers to know that I think, at this time, one of the vital issues of our politics is the budget system. For thirty years in American politics, we have been going through a great bloodless revolution, changing our attitude toward government in many important areas, turning out corruptionists in cities and states, breaking machines local, state and national, and now we are in the position of an army that has just won a decisive victory. We must straighten out our lines. We must mop up. We must entrench. And the only way to correlate all government of life is to install the budget system. It will be the victory of the people in their fight for self-government which began in the nineties, a sure and lasting victory.

Mr. White has so dramatized the campaign that we are ready to join forces with him and start to "dig in" for the final battle.

*

Recent Municipal Elections The municipal contests decided at the election on November 3 largely overshadowed all others. In New York City, James J. Walker, the Tammany candidate, was elected mayor over Frank D. Waterman, the Republican-Citizens candidate, by a plurality of more than 400,000 votes. The victory was complete and overwhelming; practically every elective office, from the highest to the lowest, in New York City was filled by a Democrat.

The Boston election was perhaps the most surprising. Ten candidates ran for mayor. Among these were several brands of Democrats and one Republican. The Republican, Malcolm E. Nichols, was elected by a plurality of 21,000 votes. He is the first Republican mayor of Boston to be elected in 18 years. Nine of the 22 councilmen are also Republicans. Mr. Nichols is regarded by those who know him as an educated and competent man. The worst "charge" against him is that he was born in Maine. The Good Government Association and many Democrats favored him in the election.

In Buffalo Mayor Frank X. Schwab was re-elected. He received the largest vote ever polled by a municipal candidate since the commission form of government began in 1914. He beat by 22,000 the candidate believed to be blest by the favor of the K. K. K. In Detroit Mayor John W. Smith, a Catholic, was re-elected by a large majority over the avowed candidate of the Klan. In Louisville, Kansas City, Pittsburgh and Indianapolis there were hot contests for the office of mayor. Kansas City held its first election under the new manager charter. There were also spirited elections in Cincinnati and Cleveland, which are noted below.

*

P. R. Elections in Cleveland and Cincinnati On November 3 the second councilmanic election under P. R. was held in Cleveland. Twenty-five councilmen were selected from four districts in which a total of 47 candidates ran. Nothing unusual seems to have developed as a result of the election; many of the old councilmen were reelected. Of the election, the *Cleveland Plain Dealer* for November 5 says:

> The old bi-partisan coalition retains control of the council as a result of the election, but the public has reasons for confidence that it will not interfere with the proper functioning of the manager's office. Without being either a candidate or an advocate in the campaign Manager Hopkins found himself the leading figure in the fight. He emerges from it stronger than before.

In Cincinnati the first election for councilmen was held under the new city manager charter. Nine councilmen elected at large by P. R. were chosen from a total of 39 candidates. The majority of those elected were candidates of the city charter committee, which sponsored the new charter. *The Enquirer*, a Cincinnati paper which is unfriendly to the idea of P. R., said of this election:

> On the ballot containing the names of the 39 candidates for members of council, the voters were asked to vote not with crosses, but by grading numerically their favorite candidates up to nine, in accordance with a highly complicated system of vote-recording which, when all is said and done, is only decipherable by a trained auditor, a certified accountant, or an expert mathematician. What congenial mental exercise the mathematicians and accountants must have had yesterday in casting their votes!

*

New York Amendments Adopted The adoption of the four amendments to the New York state constitution is a victory for Governor Smith. Prior to the election, he made a speaking tour of the state in behalf of these amendments. Although all the amendments had been accepted by a Republican legislature, the up-state Republican organization openly opposed the two amendments which authorize bond issues, and carried on what Governor Smith called a "whispering campaign" against the other two, which provide for the reorganization of the state administration and the judiciary system. Several leading Republicans, however, approved the two reorganization amendments and the bond issue of $300,000,000 for grade crossing elimination. The strongest fight was waged over amendment number one, which provides for the issuance over a period of ten years of $100,000,000 for a state building program. This amendment received an affirmative majority which may prove to be less than 30,000 when all the returns from up-state are in. The affirmative majority for each of the other amendments is estimated to be more than 100,000. New York City piled up a large majority for each of the amendments, but this was cut down by the negative vote of the up-state section.

*

Rochester Adopts the Manager Plan The manager plan was adopted by Rochester (N.Y.) by a majority of some 13,000 votes. This was the result of a hard fought campaign in which the local Bureau of Municipal Research and the City Manager League did valiant service. The opposition made capital of the fact that only recently the city manager plan had been defeated in both Schenectady and Yonkers. The leading papers of Rochester supported the proposed plan and during the week preceding the election carried front page articles explaining the city manager charter. This charter will become fully effective on

January 1, 1928. We hope to have an article telling about this campaign in the next issue of the REVIEW.

*

Personality in Municipal Administration

Heretofore we have been too much concerned with the form and methods of municipal administration. We have largely overlooked the human elements. The results attained in the administration of the complex problems of present-day city government depend to no small extent upon the personality and ability of the administrator. This is especially true under the city manager plan, where the manager is directly responsible for the success or the failure of the administration.

With these things in mind, we asked Norman Shaw of the *Cleveland Plain Dealer* to write an article on "Cleveland's City Manager." This article appears in this issue of the REVIEW.

*

Court Decision Curtails Comptroller General's Power

The District of Columbia Court of Appeals has recently decided that J. Raymond McCarl, comptroller general of the United States, is not any longer the judge, jury and executioner in cases where he claimed the right to deduct from the pay of naval officers to reimburse the government for alleged erroneous allowances drawn by these officers.

The case came before the Court of Appeals on Mr. McCarl's appeal from an injunction order signed by Justice Hoehling of the District of Columbia Supreme Court, in a suit filed by Commander John F. Cox, U. S. N. Commander Cox is the first of about 100 naval officers to take issue with the comptroller general. The Court upheld the declaration of Justice Hoehling that Congress said how much pay a naval officer should receive, and that no officer of the government could touch it. "The power to 'dock the pay' of any government officer rests with Congress alone," said the Court. In holding that the comptroller general had no power to withhold pay, the Court called attention to a decision of a federal circuit court which reminded a government accounting officer that "there can be no such autocrat."

To compensate somewhat for the loss of the Cox case, the Court of Appeals rated Mr. McCarl as winner in two minor cases in which the rulings were questioned.

Mr. McCarl has recently become the stormy petrel of the government service. His decisions refusing to sanction payments by federal officers have caused much discussion. It is likely that he will be the subject of much criticism when Congress meets. Several suits have been entered against him.

*

As the English See Father Knickerbocker

New York City's mayoralty campaign, which resulted in the election of James J. Walker by a plurality of 401,000 votes, is discussed in *The Municipal Journal,* a London publication. The point of view of our English onlookers in this instance is worth noting; it should help us to see ourselves as others see us. Tammany Hall and the political elements of the city are vividly portrayed. The political conflict between the city and upstate New York is sketched into the picture. Finally the composite picture of the city is presented thus:

> The city of New York presents many complications and difficulties. While it is the greatest city in America, it is not an American city. It is the largest negro city in the world; it is the greatest Jewish city; it has more Germans than some German capitals; and it has more Italians than Naples. All races of the world are represented in New York. It is the melting pot

through which Americans in the making must pass. The majority of the population still remain foreign in language and sentiment, and are unaccustomed to popular elections and democratic institutions.

*

Court Decision Ends New Jersey Zoning The Court of Errors and Appeals, the court of final resort in New Jersey, has ruled adversely on zoning regulations. Since this ruling, the communities of that state regard their zoning system as having been practically cast into the scrap heap. The Court's ruling was made up pretty much along the lines the Associate Justices had laid down. The right of a person to put upon his lot any building that is not a legal nuisance or a menace to the health or safety of the community was reasserted. The Chief Justice ran in one point that had not been so sharply stated before in the discussions. He said that the purchase of a piece of property and the erection of a building upon it did not give the purchaser the right to say what kind of structure some future purchaser must put on a nearby site; that the buyer takes the chances in the buying and is only unfortunate if he loses in the game.

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Federal Use of City and County Jails An investigation conducted by Hastings H. Hart of the Russell Sage Foundation shows that the United States government with no jails of its own is using one-third of all the city and county jails in the country without paying rent, and is boarding out more than 7,000 prisoners—including many who are merely awaiting trial—to local jails over which the federal government has no control. Many of these jails are extremely overcrowded and very unsanitary. During the past year conditions were studied in the 893 city and county jails and workhouses in which federal prisoners are kept. Dr. Hart suggests, as a remedy, that the federal government establish a jail system of its own, each jail to serve a territory with a radius of 50 miles, beginning with the points on the Canadian and Mexican borders where there is at present the greatest congestion of federal prisoners, and extending the system until the government has jails of its own in all thickly settled sections of the country.

CLEVELAND'S CITY MANAGER

BY NORMAN SHAW

In reconstructing city governments we have been concerned chiefly with form and methods; we have largely overlooked the human factors. This article tells how the personality of the manager dominates the city affairs of Cleveland, even to the extent of reversing the theory of the manager form of government. :: :: :: :: :: ::

ABOUT five years ago the city of Cleveland discovered itself growing weary with the continued unhealthy state of municipal organization and bad government which had clouded its civic horizon for nearly a decade. The citizens stopped for a moment to look around, read the ledger and then the horoscope, thought through the city's future, decided that the only remedy would be to make a radical change, and voted in a great experiment.

"We shall try the latest thing in municipal government," city leaders said, "city manager, proportional representation, a non-partisan council, and all the trimmings. We shall clean house thoroughly, reorganize on a business basis, get a capable and experienced executive for a manager, pay him as much as the mayor of New York, give him a big car and a chauffeur, and see what happens."

The trial was on. In November, 1921, the new charter, handiwork of Augustus R. Hatton of Cleveland and backed by the independent Committee of One Hundred, was passed with a fair majority. Two years later the first council was elected, under the Hare system of proportional representation. It elected William R. Hopkins of Cleveland, railroad man and real estate operator, city manager, and he took office on January 1, 1924.

ACCOMPLISHMENTS OF THE CITY MANAGER

What has been the result? In the first year the city saved over half a million dollars from its income, expanded all services, broke street paving records and did it at a lower cost, brought the mall project for a civic center nearer completion, removed lakefront eyesores, rehabilitated the parks, greatly increased the police force, increased and modernized its equipment, and created a women's police bureau. The second year produced an air field second to none in the country, great advancement in union station plans, organization of a metropolitan council, further increases in paving, street widening, and building, with financial records of the twelve months yet to be completed.

More than that. Badly run down city property and seriously disorganized personnel have been rehabilitated. A distinctly new energy pervades the entire municipal organization, and a civic spirit unknown since the days of Tom L. Johnson has in many ways made itself felt.

Commenting on this first year, the *Cleveland Plain Dealer* said: "While saving is important, most citizens will agree that a far higher compliment is to be found in the quantity of constructive work done during the twelve months." The year, says a bulletin of the Citizens' League, of which Mayo Fesler is director, "presents a picture of real economy and efficiency which speaks strongly for the success of the city manager's administration . . . Mr. Hopkins and his directors have had a better record of actual accomplishment than can be attributed to any administration in this city in the past fifteen or twenty years."

The two years, then, have proved city managing an overwhelming success, and the man who is first of all responsible for it is William Rowland Hopkins. Two years ago he found himself suddenly pulled from private life into the whirl of city politics, given $40,000,000 a year to spend, a government to reorganize, and a million sceptical townsmen to satisfy as to every step he took. His triumph was immediate and complete, not only in the practical way outlined above, but in winning for himself and for the theory of government he represents, the highest confidence and praise.

THE MANAGER AND THE LATEST ELECTION CAMPAIGN

This fall when the second council under the new city manager charter came to be elected, not a campaign issue was to be found, so completely had the personality and success of the manager overshadowed every phase of municipal politics. With scarcely an exception, the candidates for office sought re-election on the basis of the success of the Hopkins administration, and hardly a word was spoken against him. As long as the candidate declared for Hopkins, no further questions were asked by the voting public.

The Democrats and Republicans, who were for all intents and purposes merged in one organization, neither endorsing a full slate of candidates, laid low during the campaign, generally refused to speak, declare their programs, or enter public discussions. They tried to return to office because they had elected Hopkins. "Recommend Hopkins? By all means," said Maurice Maschke, county Republican chairman, speaking of his endorsements. "Didn't we choose him?" To which the Democrats replied a week later with the platform statement: "This party rejoices in the fact that its representatives in the council shared in the selection of W. R. Hopkins as city manager." The independents, not to be outdone, immediately assured the public that they, too, would stand behind Hopkins, and accused the party organizations of actually opposing him because they had led the opposition to the new charter in 1921, and fostered the movement to weaken it last August by doing away with proportional representation. Beyond that, any effort they made to talk issues met with no response.

The campaign, like the two years of city government which preceded it, saw and heard of almost nothing but Hopkins.

HOPKINS' PERSONALITY AND CAREER

Who, then, is William Rowland Hopkins? By what power of intellect or personality has he succeeded in reaching this position of prominence? Is he merely a politician, or also an able executive? Is his knowledge of city government and administration superficial, or really thorough and exhaustive?

"Will" Hopkins is now 56 years old, of medium stature, slightly heavy built, with dark hair not yet turned gray or very thin. He has a quick step and a ready smile, with a manner always agreeable and pleasant, but he is not talkative. He possesses an imagination that can conceive a great city of the future, a business head that knows what should be done toward bringing it about, and a reserve which is ready to meet the routine or the disappointments of a day's work.

Hopkins was born July 26, 1869, at Johnstown, Pennsylvania, of Welsh descent, and third in a family of ten. He came to Cleveland at the age of 15, worked in a steel mill until he had enough money to go through college, graduated from Western Reserve University, and then, in 1899, from its law school. He served one term in the city council, being elected before law graduation, two terms on the board of elections, was once deputy United States marshal, and once county Republican chairman.

Most of his life has been spent in business. With his brother Benjamin he planned, financed, and built the Cleveland Belt Line railroad around the city, sold the line to the New York Central, and operated the Belt and Terminal Realty Co. which sold factory sites along the route. For years he was active in the Cleveland Underground Railroad Co., which sought franchises for the construction of subways throughout the city, but was finally forced by the World War to abandon its project. He was prominent in business circles, but little known as a public figure.

SELECTION OF HOPKINS AS MANAGER

The selection of Hopkins as manager was not an accident. He was from the beginning considered the most likely candidate for the office, and following the election of the first council the appointment was freely predicted. As a matter of fact, he was first named by Maschke, whose party was a majority of the council, but in the vote, 24 of the 25 councilmen approved him.

"We have investigated Mr. Hopkins' qualifications for the position," said the ever critical Citizens' League, "and we are of the opinion that he is exceptionally well qualified by education, training, experience, character, and breadth of view for the office." Moreover, they continued, "Mr. Hopkins declares without hesitation that he will not accept the office if there are any personal, political, or other obligations which will interfere with his freedom of action in serving the city to the best of his ability . . . He also expects to be entirely free to choose his subordinates."

"I shall try to have pleasant and congenial relations with all who may have business with my office," was the further promise of the new manager on entering the city hall, "but, pleasant or unpleasant, congenial or uncongenial, I shall not willingly leave undone anything I can do for the city of Cleveland."

We have already seen the success which crowned the initiation of the new system of government, and the two-years' record which has been established under Hopkins' régime. It is to the manager himself that the great bulk of the credit should go for these results. True it is that the people were responsible to a degree, for they watched with interest if with scepticism, and were ready to show enthusiasm when results were forthcoming. The council, too, showed a new independence and initiative in legislating, and a rare good sense in keeping hands off the business of appointments. But from the sound administrative and executive ability of Hopkins, and from the popular appeal he was able to attach to his policies, came the real achievements.

THE ABILITY AND FIGHTING SPIRIT OF THE MANAGER

Professor A. R. Hatton was probably right when he said the greatest problem of the city manager type of government is the city manager himself. In this day and age the administrative side of government has increased in importance until it overshadows all else, including policy determination, and especially in a city long attacked as the most fertile ground for political ignorance, honesty and efficiency are of unlimited importance. It may sound very well to get the machinery of politics out of the hands of parties and groups and into business management free from partisan influences, but unless the man chosen fulfills very high qualifications, it would be better to return to the old system of electing the smoothest talker or slickest vote getter.

It is not simply that Cleveland changed her form of government that the above results have been produced. The better reason is that the city's executive has become an intelligent man, and he is expected to operate affairs on a business and not on a political basis. In almost every case the improvement can be ultimately traced back to the manager's office in the city hall. Because business there is handled in an expert and scientific manner, and someone there knows how things should be done and will see that they are done that way, the new higher tone of government has come.

This spirit of administering city affairs in a scientific manner soon pervaded every department and branch of city service. At the top the example was set. Every city employee has come to learn that Hopkins is more than a popular man, they know that he understands every phase of administration thoroughly from top to bottom. The city hall is pervaded with the feeling that business is being done on the basis of intelligence, expertness, and hard work. The fighting spirit of Hopkins is present in every act of business, and his personality extends to every end of the municipal organization.

Take the matter of conferences as an example. In any discussion of the scientific or business details of some public utility or improvement, the manager takes his position at the head of the group of experts. When the engineers of the new union station want to talk business with the city, it is Hopkins they meet. He knows what the degree of curve or rate of incline or layout of street should be, and he can speak to them not only as public agent, but as engineer, lawyer, or business man. In any important city problem the manager himself generally studies its details and is ready with the facts when the answer is called for.

The manager will tell what kind of paving ought to go on a certain street, how much it will cost a square yard, and what saving this is over the former cost. Together with his finance director he worked out a new accounting system of very considerable merit.

Supplementing this thorough knowledge of problems of city administration, Hopkins has an inclination to work hard at his task. "The city manager himself has set a good example to all public employees by his own punctuality and long, intensive hours of work," said the Citizens' League at the end of the first year. The city hall knows him as a man with a full day of continual conferences with committees, cabinet members and distinguished visitors, individual labor at his many duties, usually followed by an evening with more meetings of business or social nature.

SELECTION OF SUBORDINATES

The appointments made by Manager Hopkins, a matter in which the charter leaves him absolute independence, have been of the highest order in most cases. In one or two positions it was believed that political expediency was followed, but no real bad results have been evident even there. Generally the administrative staff has been filled on the basis of merit, and by the manager alone.

Cleveland, as is probably the case in other large cities, has not been accustomed to finding the source of knowledge and intelligence in the office of the chief executive. The results of this altogether novel situation have been conspicuous from the first, and traceable to the farthest limits of the working staff and throughout the city itself. Not only has there sprung up the new atmosphere of honesty and seriousness and enlightenment at the city hall, but there has been shown a widespread enthusiasm for the new order, and a new and sadly needed faith in city government is coming to the front. Political pull and partisan favoritism have become the exception instead of the rule, and bad business is no longer excused because it has been done by a public official.

SOME CRITICISM MINGLED WITH PRAISE

There is, of course, some criticism of Manager Hopkins. The foremost objection raised is that, as a railroad man, he has given to the railroads many advantages over the city, especially in connection with the work of the new union station. Councilman Peter Witt, who alone has held out against the manager, frequently raises this question. The *Plain Dealer*, in leading the fight for harbor and waterway improvement and development, often charges him with slighting the harbor situation, and looking at the lakefront as primarily a recreation opportunity. "A hit-and-miss project, admirable for the earnestness behind it but falling far short of what the situation requires," is their characterization of his lakefront plans.

As a whole, however, the Cleveland situation has shown an almost miraculous change during the last two years, as compared to the previous administrations. The city manager plan has not done what its enthusiasts promised it would, but it has done far more than was expected of it, and a thoroughly commendable record is presented by Manager Hopkins. Human nature cannot be changed over night, or perhaps the golden age might have arrived.

While the city unites in almost unanimous praise for Manager Hopkins and his two-years record as municipal administrator, there is another and perhaps a less cheerful side to Cleveland's situation which I have heard discussed many times in the higher circles of city officers and municipal experts. The question they raise is this: With a manager as dominant in civic affairs as Hopkins has proved himself to be, is the city manager plan receiving an actual and a fair test? Or is Cleveland merely, for the time being, fortunate and must at some later time face the real test of her charter?

THEORY OF MANAGER GOVERNMENT REVERSED

It is clear that the theory of the city manager scheme, and the spirit of the Cleveland charter, has not been followed. Both alike call for a dominant council and a manager who is their appointee and servant, charged only with the duty of carrying out the policies they determine. The council membership, according to the theory, shall be elected on the personal merits of each candidate and they shall then choose a man capable of handling as a business enterprise the city's affairs. He shall be responsible directly to them, and for the administration only of the policies they decide upon. The dominant position in city affairs shall be occupied by the council and its spokesman and chairman, usually called the mayor.

This proper line of demarcation between the policy-determining function of the council and the policy-administering function of the manager ought to be a fairly clear one. Experts are almost unanimous in making such a separation, most charters call for it, and the managers themselves in their recent "Code of Ethics" speak of the manager as "a hired employee of the council," and say, "Loyalty to his employment recognizes that it is the council, the elected representatives of the people, who primarily determine the municipal policies."

In Cleveland, however, quite the reverse of this situation prevails. There the whole stage of municipal affairs is occupied by City Manager Hopkins. The council and the mayor have taken back seats, turned over the reins to the manager, and virtually promised to be good. Last month over a hundred councilmanic candidates were clamoring for office, basing their election plea solely on the argument that they were Hopkins men, they had helped elect him, support him, or would stand behind him. Here it is plain that the subordinate-manager and dominant-council theory of city managership has given way to an entirely new situation not anticipated by promoters of the scheme.

The continued success which Hopkins enjoys in leading public opinion and determining policies in advance of the council has won him the name among some of "Chautauqua Bill," the "Rotarian booster and ballyhoo artist." He is charged by them with insubordination and opposition to his employer, the council. In an attempt to assure his political position against councilmanic disapproval, they say, he goes out making speeches, speaks with superlatives and in glowing terms of the great things of the future, and thus leaves the council no way out but to approve all that he promises.

In his first annual report he so far forgot himself as to say to the council: "From yourselves we have received the most generous support which has been fully appreciated."

All this criticism is not fully justified, but there is much that can be fairly said, at least from the theoretical point of view, against the course he pursues. It is clear that when he took his position, he did not appreciate the limitations on his office, and he had an inadequate conception of the relations he should bear to the council. Many believe that he is now changing his attitude, and confining his activities to their proper sphere. Others think he will lose no opportunity to strengthen his position of ascendency.

The Citizens' League was among the first to see the dangers in the increasing power of the manager, and it is partially responsible for bringing the mayor forward to his proper place as city spokesman and leader in public discussion of civic improvements. The League's argument was sound. If the manager should become too dominant and powerful, forces for and against him would soon spring up, and he would become a campaign issue in councilmanic elections. People would vote for or against a candidate because that candidate was for or against Mr. Blank as manager. Real issues of city importance would be forgotten, and the caliber of councilmen would be lowered as they were elected on less important principles.

For instance, they pointed out, a leading candidate has declared himself in favor of municipal ownership of the traction lines. This is an important issue, and one upon which all candidates should make clear their stand, instead of sliding into office on the basis of who shall be manager. Moreover, the League held, if the manager leads in policy determining he would have to take the stump for or against public issues, and thus line himself up with certain parties or groups, instead of confining himself only to business administration.

These dangers are very real, and although they have been largely avoided in Cleveland because of Hopkins' success in keeping everyone on his side, trouble may yet arise should the disturbed balance between manager and council continue.

Because Hopkins is a capable leader, he has been successful in playing this one-man act in city government. Nevertheless the theory of his actions is bad and the precedent dangerous and the only safe course is to restore the council to its full policy determining power. Not until then can Cleveland secure a real test of her charter, and of the city manager scheme in a large city. Because of the near dictatorship that has existed in Cleveland, we cannot say that the plan or the charter have yet been adequately tried.

The public, however, is not inclined to dwell too long on theory when they have results before them. Whatever criticism there may be of his administration, his greatest enemies, if he has such, unite with his friends, in acclaiming his administration a very great success. If this is a real test of city managing, the results are sufficient to furnish a very great recommendation for all other large cities. Optimism reigns supreme as Cleveland enters the third year of her experiment with Hopkins at the helm.

THE INTERNATIONAL UNION OF CITIES

A REPORT OF THE PARIS CONGRESS

BY CHARLES FAIRMAN[1]

The high lights of the Third Congress of the International Union of Cities by a competent observer. :: :: :: :: :: ::

The Third Congress of the International Union of Cities (Union Internationale des Villes et Communes) was held in Paris during the week of September 28–October 4 with a large body of delegates in attendance. It should perhaps be explained that the International Union was founded at Ghent in 1913, for the purpose of exchanging information concerning the many important questions which are common to municipal administration in all countries. The framework of city government, the relations between local and central authorities, etc., do of course vary from country to country, and sometimes even between various cities of the same state. Nevertheless there is a community of interest in the solution of such great administrative problems as housing and city planning, traffic regulation, water purification, and garbage disposal. With the growth of a city these problems become more complex, and more deserving of careful study by competent administrators. This is more generally recognized in Europe than in America. The Congress of the International Union provides a forum for the discussion of these problems, while the permanent bureau of the Union serves as a clearing-house for information desired by municipal authorities in all countries.

In form the International Union is a federation of national unions, such as the Association of Italian Communes, the Union of French Cities and Communes, the Union of Belgian Cities and Communes, the Union of Dutch Cities, etc. No such national organization exists in the United States, but such associations as the National Municipal League and the leagues of municipalities which exist in many of the states are earnestly desired as adherents by the officials of the Union.

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[1] Delegate representing the city of Cambridge, and the Harvard Bureau of Municipal Research.

PERSONNEL OF THE PARIS CONGRESS

The Paris Congress comprised 750 delegates, from 35 countries, representing more than 300 cities, of which 25 were national capitals. Delegations came from virtually all the countries of Europe, as well as from the United States, Brazil, Canada, China, Colombia, Costa Rica, Cuba, Egypt, Japan, and Mexico. The cities of Germany had misgivings as to the value of a conference held in Paris, and hence declined to participate. This was regrettable, as international rivalries are entirely irrelevant to the work of the Union, and the administrators of German cities would have been welcomed without reference to past animosities. Neither were there any delegates from the cities of Soviet Russia.

Some of the more important European cities represented were London, Paris, Rome, Vienna, Budapest, Constantinople, Tokyo, Madrid, Lisbon, The Hague, Copenhagen, Warsaw, Prague, Bucharest, Brussels, Amsterdam, Rotterdam, Helsingfors, Trondhjem, Sheffield, Barcelona, Bologna, Milan, Naples, Geneva, Lausanne, Berne, and Belgrade.

The New World cities represented were Quebec, New Orleans, Pittsburgh (by the mayor), Washington, D. C. (by the municipal architect), Greenville' S. C. (by the mayor), Jacksonville, Fla. (by a city commissioner), Berkeley, Calif., and Cambridge, Mass. There were also representatives from the City Managers' Association, the League of California Municipalities, the League of Kansas Municipalities, the *American City Magazine*, the University of California, and the Harvard University Bureau of Municipal Research.

French and English were the principal languages spoken at the Congress. As the Europeans were on the whole better linguists than the Americans, most of them addressed the Congress in French, after which a brief résumé was usually given in English. The delegates from Copenhagen and from Tokyo, however, made their addresses in English.

THE SESSIONS

The opening session was held in the Hôtel de Ville, or city hall, with the president of the municipal council of Paris in the chair. The morning was consumed in hearing the addresses of salutation appropriate to the occasion —amenities which consume the time of all international conferences, but which are always more elaborate in Europe than elsewhere. Representatives of the Secretariat of the League of Nations and of the International Labor Office at Geneva brought assurances of a desire to co-operate with the Union. During the afternoon the delegates listened to the report of the secretary-general, Senator Emil Vinck of Belgium.

The second day was devoted to an automobile trip of inspection, covering points of interest in the vicinity of Paris. These included a group of low-priced dwellings constructed and maintained as a public enterprise by the French capital in an effort to cope with the acute housing problem. The trip also included some parks, a model school building, a municipal bathhouse, and ended with a visit to the palace at Versailles.

Wednesday was devoted to the discussion of papers, the sessions being held in the Grand Palace at the Exposition of Decorative Arts. Various national unions of cities gave reports on their activities. It appeared that their efforts included conferences and visits with the municipal officials, the collection and distribution of valuable data, and the protection of local interests against encroachment by the central authorities. An exposition of the workings of the city manager plan in the United States was given by the president of the City Managers' Association. A paper was also presented by the secretary of the Association of American Municipal Organizations on the services performed by the state leagues of municipalities in the United States. He dwelt upon four contributions which these leagues do or should make to city officials: (1) advice upon request as to the costs of various phases of city administration; *e.g.*, the cost of fire or police protection in various cities, the going-rate on municipal bond issues, etc.; (2) legal protection of the public interest against public utility corporations; (3) assistance in drafting city charters and ordinances, and in securing the passage of sound legislation by the state legislature; (4) development of a system for the computing of unit costs, so that, for instance, a city administration may know just how much it should pay, per unit, for lighting, paving, etc., of given specifications.

Mr. Montagu-Harris of the British Ministry of Health made an interesting preliminary report on the forms of local government in the principal countries of the world, including such topics as the relations between local and central authorities, the extent of municipal home rule in financial matters, and methods employed in various countries for floating municipal loans. The paper was only a comparative study of existing facts and did not attempt to draw any conclusions as to whether one system was preferable to another. For, as was pointed out, the highly centralized system obtaining in France (and imitated in many other countries) would be quite intolerable in Great Britain or the United States, where each community feels that it should control its own local affairs without interference from London, Albany, or Harrisburg or wherever the central authority may be.

The general dearth of capital in Europe at the present time makes it more difficult for European than for American cities to float loans for public works. In Holland, Roumania, Italy and Spain the national government has lent its assistance by establishing banks to facilitate the raising of funds needed for the development of the communes.

The fourth day of the Congress was consumed in another excursion to various points of interest. There was a display by a regiment of *sapeur-pompiers*, as the French fire departments are called. The trip included the plant for the incineration of household wastes from the city of Paris and the suburbs. Later the electric and gas plants at Grennevilliers were visited.

HOUSING AND CITY PLANNING

The land policy of towns and cities, with special reference to its influence upon the housing problem, formed the subject of a report given by one of the Dutch delegates at the Friday morning session. It seems that on the Continent the communes (the unit-cells, politically) are much larger owners of land than are the cities and towns of the United States. For example, the commune of Zurich, Switzerland, owns one-third of all the land within its limits and has even greater holdings in the suburbs. Utrecht owns about one-fourth, Amsterdam one-tenth, Budapest one-seventh of the total area within their respective limits. The Dutch delegate recommended that each municipal government should acquire and occupy a dominating position in the local land market. It should encourage the use of land for what the city administration deemed to be desirable purposes by offering public land for sale or long term lease, at prices to be varied according to the use made of the land. Thus a site to be used for low-priced dwellings should be sold more cheaply than if the same plot were to be used for less desirable purposes. Where the owner of a plot of real estate refused to conform to the wishes of the city government as to the use to be made of his land, he would be compelled to do it under threat of expropriation. The city would prevent exorbitant prices being charged for land by offering some of the city's holdings at less than the market rate. In short, the city government should serve as a balance-wheel to the real estate market. The delegate from Rome added that many Italian cities had made an energetic use of the right of expropriation to acquire land suited to the erection of dwellings where the owner declined to build thereon.

This method of carrying out a city plan is of course quite different from those employed in the United States, where plans for the city's future are made through zoning ordinances passed under the police power (limiting the use of private property in the interests of public health, safety, morals, or general welfare). Probably no friend of good municipal government in America would advocate the city's engaging in real estate operations except when necessary for strictly public purposes, even if so drastic a use of the power of expropriation were constitutional in America.

How inapplicable were the Dutch delegate's recommendations to the conditions of land ownership in England and America was pointed out by a delegate from the British Ministry of Health. He regretted that the program did not include a paper on city planning as practiced in America, which was, he said, the country which had made the greatest progress in city planning during recent years. He was opposed to the method of carrying out a city plan which the Dutch delegate had advocated. Thus was clearly brought before the Congress the fact that the field of public action is larger on the continent of Europe than in Great Britain and America.

The delegate from Bucharest, the capital of Roumania, remarked that municipally-owned dwelling houses in Paris returned a profit of only 1½ per cent, and that public ownership with such poor financial results could not be practised on a large scale. The difficulty experienced by Roumanian cities in constructing the public works made necessary by city growth was the impossibility of borrowing except at unfavorable interest rates.

THE GOVERNMENT OF METROPOLITAN AREAS

The last question discussed by the Congress was of particular interest to cities situated in metropolitan areas. What solutions are adopted or proposed in the various countries to meet the difficulties which result, in great metropolitan communities, from the fact of their division into several separate autonomous corporations? The principal paper was presented by M. Henri Sellier, himself mayor of one of the suburbs of Paris and a member of the general council for the Department of the Seine, hence an expert in French municipal government. He brought out the fact that in France and in a number of other European countries the national government allows or compels the various neighboring communes which form metropolitan areas to enter into syndicates or unions for the satisfaction of various common needs such as the providing of a public water supply, a gas plant, or an electric supply, or the disposal of wastes. This, in other words, is an arrangement much similar to that applied by the legislature of Massachusetts to the water supply and sewerage system of the Boston metropolitan district.

But this syndicate of several communes is subject to the disadvantage that the various conflicting interests are difficult to reconcile. One city, by refusing to co-operate or to allow the laying of necessary conduits within its limits, may thwart the will of the others. The remedy for this, he agreed, was the political consolidation of the metropolitan area, with either a unified or a federal form of government. But where local pride runs strong, as in the communes of Italy, annexation is bitterly opposed. The representatives of Milan asserted that Italy was not likely to "contract the urban elephantiasis from which other nations are suffering." M. Sellier by the way commended the American method of dividing the towns and cities of a state into classes and of legislating separately for these classes, rather than the French method of legislating for all communes together, whether the commune be an Alpine hamlet or a great industrial metropolis.

On Friday evening the closing session was held. At that time the delegate from New Orleans expressed, in graceful French, the appreciation which the Americans felt for the privilege which had been theirs of participating in the Congress. The last day of the week was devoted to a trip to inspect the methods employed in treating with ozone the drinking water supply for Paris. On one of the evenings the members of the Congress were the guests of the City of Paris at a theatrical performance; on another a banquet was provided; on a third the delegates were invited to attend a reception offered by the city.

The proceedings of any international meeting are necessarily slowed up by the diversity of language and the delays incident to translation. There are also differences of law, customs, and national temperament, which sometimes make a discussion of conditions in one country unintelligible to delegates from another. Finally, it is not to be supposed that only one week of study will lead to any revolutionary solutions of the difficult questions of municipal administration. But in the case of the delegates who were at the same time the responsible officials of their respective local governments, the Congress offered a splendid opportunity to get in touch with municipal progress throughout the world. Some day, let us hope, this International Union will be induced to hold its Congress in America.

PITTSBURGH'S GRADED TAX IN FULL OPERATION

BY PERCY R. WILLIAMS

Member Pittsburgh Board of Assessors

A discussion of the working of the Pittsburgh graded tax plan, the purpose of which is to encourage business and improvements and to discourage land speculation by decreasing taxes on buildings and increasing taxes on unimproved land. :: :: :: :: ::

PITTSBURGH's unique experiment in taxation has attracted widespread attention and there have been numerous inquiries, some of them from remote corners of the world, concerning the operation of the plan and the effects resulting therefrom. There has been a good deal of misconception. It has been heralded by some as an example of "the single tax," which, of course, it is not by any means, but this impression has gained considerable currency, resulting in an exaggerated idea of what Pittsburgh is doing and leading many to anticipate something revolutionary in the way of effects.

The Pittsburgh tax plan may be briefly described as having two notable features:

1. The entire tax revenue for municipal purposes is derived from taxes upon real estate. There are no taxes levied by the city government on any other form of property or income.

2. The municipal tax rate on buildings is fixed at one-half of the tax rate levied upon land. This latter feature is known as "the graded tax."

EVOLUTION OF THE GRADED TAX

The graded tax has been in process of evolution since the year 1913, when the law was passed by the Pennsylvania legislature. It has now reached its goal, the ultimate point contemplated by the law having been attained on January 1, 1925, when the half-rate on buildings became effective. The law provided for the partial exemption from taxation of improvements upon real estate, with the ratio of exemption increasing at each triennial assessment. This partial exemption has been effected, not, as commonly assumed, by reducing the assessed valuation of buildings, but by fixing from year to year a lesser tax rate on buildings than that levied upon land. The law became effective January 1, 1914, and there have been five successive steps, corresponding to the triennial assessment periods, in each step a certain proportion of the tax burden being shifted from buildings to land; in the first period, 1914–15, the building rate being 90 per cent of the land rate; in the second period, 1916–18, 80 per cent; 1919–21, 70 per cent; 1922–24, 60 per cent, and in 1925 and thereafter, 50 per cent. (Note Exhibit "A.")

EXHIBIT "A"

COMPARATIVE STATEMENT OF CITY TAX RATES UNDER GRADED TAX PLAN[1]

Year	*Land Tax Mills*	*Building Tax Mills*	*Flat Tax Rate Required to Raise Same Revenue*
1914	9.4	8.46	9.05
1915	10.2	9.18	9.8
1916	12.6	10.06	11.63
1917	11.5	9.2	10.6
1918	14.5	11.6	13.3
1919	15.7	10.99	13.6
1920	19.	13.3	16.6
1921	20.	14.	17.5
1922	20.	12.	16.5
1923	20.	12.	16.58
1924	20.	12.	16.46
1925	19.5	9.75	15.2

[1] Compiled by Pittsburgh Assessor's Office.

While Scranton is governed by the same act, it being necessary to include in its provisions both of the second-class cities of the state in order to meet the constitutional requirements, the graded tax law is distinctly a Pittsburgh idea. The proposal was originally sponsored by the Pittsburgh Civic Commission, which for a number of years was one of the most influential civic bodies of the community. But it was largely through the political influence exerted upon the legislature by Mayor William A. Magee, then serving his first term, that the measure was quickly adopted into law.

EFFECT OF THE GRADED TAX PLAN

With the graded tax plan now fully effective, it is possible to tell, in general terms, just what the new tax system means to Pittsburgh and its taxpayers.

There is, of course, no loss of revenue through the graded tax. The law of 1913 has no effect whatever on revenues or upon expenditures. It simply brings about a shifting in sources of revenue. Its effect is upon the respective tax rates on land and buildings which are fixed annually by the city council at such figures as will produce the sum estimated as necessary to meet the expenditures set forth in the budget.

Careless writers have frequently stated that Pittsburgh has reduced building taxes 50 per cent. This, of course, is not literally true. What they mean to convey is that, through a gradual process, the building taxes levied by the city have been brought to a point where they bear a ratio of 50 per cent to the city land taxes. The building tax rate would not have been reduced as much as 50 per cent, even had real estate values and government costs remained stationary at the 1913 figures, because we must, of course, take into account the automatic increase in the rate of the land tax which has been taking place as contemplated under the law. The estimate made on the basis of 1913 figures was that, if the law were then to become fully effective, the tax rate on buildings would be reduced 40 per cent. But the proportion of land and building valuations has changed materially since 1913, building values steadily gaining on land values, and, what is more important, the cost of government service has tremendously increased everywhere, as have all costs that enter into the cost of living and the cost of doing business. So the building tax rate in Pittsburgh is actually higher to-day than it was in 1913, but only very slightly higher so far as city taxes are concerned, because the operation of the graded tax law has steadily reduced the ratio of the building tax to the land tax.

The city tax on buildings in 1913 (under the uniform rate plan) was $8.90 per thousand dollars of valuation; to-day it is $9.75 per thousand. This means that our city building tax has gone up in this 12-year period of soaring taxes only to the extent of 85 cents per thousand, while on the other hand, our city land tax has gone up from $8.90 to $19.50 per thousand, an increase of $10.60, showing that the city tax on land has more than doubled in this period, while the city building tax is back practically to the 1913 figures. It may be interesting to note that the building tax rate has fluctuated upward and downward. Beginning on the basis of 8.9 mills in 1913 (which applied alike to buildings and land), the building tax rate was somewhat reduced in 1914, when it was fixed at 8.46 mills, but from that point rose to the peak of 14 mills in 1921, followed by a 12 mill tax for the years 1922–23–24, and finally dropping to 9.75 mills in 1925. But throughout the process the ratio of building to land tax was lessened every third year.

SHIFT OF TAX FROM BUILDINGS TO LAND

Exactly what does the graded tax mean to the taxpayer in dollars and cents? It means that buildings pay $5.40 less per thousand dollars of valuation than they would pay if the old flat rate system were in effect. It means that land pays $4.35 more per thousand than would be required under the flat rate system. Land therefore pays approximately ten dollars per thousand more than buildings. The city tax rates for 1925 are $19.50 on land and $9.75 on buildings, and these rates raise a revenue of approximately $15,000,000. To raise the same revenue with a flat tax rate would require a levy of approximately $15.15 per thousand. The effect of the graded tax on the tax figures can therefore be accurately measured by the difference between $15.15 and the present rates, and similar calculations have been made that enable us to compare the rates required under the respective systems for each year that the graded tax has been in operation.

In wholesale terms, this signifies that there has been a shifting for this year 1925 of approximately $2,400,000 in taxes from buildings to land. The total assessed valuations for 1925 are: land, $548,475,280; buildings, $442,004,840; total valuation, $990,480,120. Under the graded tax law land values in Pittsburgh pay a total city tax for 1925 of approximately $10,700,000, while at the rate of $15.15, which would prevail were the old tax system now effective, the taxes on land would be only about $8,300,000. Buildings, under the graded tax, pay this year in taxes $4,300,000, while at the rate of $15.15, this figure would be raised to approximately $6,700,000. These figures confirm the fact that there has been a shift from buildings to land of about $2,400,000, a very considerable item out of a total city tax revenue of fifteen millions.

PLAN LIMITED IN ITS APPLICATION

As the graded tax law is the only tax law of its kind in the United States, there has naturally been much discussion as to its effects, not only upon the tax situation itself, but upon real estate conditions. Therefore, before proceeding further into the discussion, it is important to note that the foregoing figures, though very significant, relate only to city taxes, in the strict sense of the term. This fifteen million dollars raised by the city from real estate is by no means the entire tax revenue that is obtained from Pittsburgh real estate, as it is found, upon examination, that the board of public education and the county of Allegheny together raise from Pittsburgh real estate the approximate sum of $17,500,000. And in the collection of this vast sum there is no exemption of buildings whatever, as neither the school tax or the county tax are levied under the terms of the graded tax law, this measure relating to cities only.

The board of public education, representing the school district of Pittsburgh, a political unit distinct from the city itself, raises from taxes on Pittsburgh real estate the approximate sum of $11,390,000 this year, by a flat rate of $11.50 per thousand, the school tax being based upon the city's assessed valuations. Of this total sum, approximately $6,310,000 is obtained from land assessments and $5,080,000 from building assessments. When these figures are added to the city taxes, we find that the combined taxes derived from land amount to $17,010,000, while the combined taxes on buildings total $9,380,000.

The county of Allegheny raises from

taxes on Pittsburgh real estate the approximate sum of $6,110,000, by a flat rate of $6.375 per thousand. It is not possible to give the definite distribution of this sum into land and buildings, as the county tax is based upon the county's assessed valuations, which do not separate land and buildings, though the proportion allotted to each would probably not differ greatly from that shown under the city's assessments for the school tax.

These facts tend to show the limitations of Pittsburgh's graded tax system as it now stands with present legislation fully effective, and to indicate to just what extent the building exemption plan has been carried. The facts cited show how far Pittsburgh is from the single tax, either "unlimited" or "limited," and thus serve to give a better understanding of the Pittsburgh tax experiment, which is really a moderate tax reform applied in a very conservative manner. Nevertheless, it marks a very distinct departure from the general practice of American municipalities and the material change which it has made in the distribution of the tax burden makes it reasonable to look for certain moderate effects upon real estate conditions.

PLAN STIMULATES IMPROVEMENT OF LAND

It is my judgment that the graded tax plan has undoubtedly tended to stimulate the improvement of real estate. It has been said that there is entire absence of *evidence* that the graded tax has influenced the erection of a single building. And perhaps actual proof that it has done so cannot be given, because it is very difficult to determine just what motives are most influential in inducing the builder to build. Yet friends and opponents of the graded tax alike agree that the higher land tax has been influential in inducing those who had held large tracts of land idle to sell at more reasonable prices, because the holding of vacant land for long periods is becoming unprofitable. We know that Pittsburgh has had a boom in building during the past few years and official statistics of building in Pittsburgh show a very marked increase. Whereas, in 1913, the last year under the old tax system, the total number of building permits was 3,461 and the total estimated value of new buildings was $13,870,955, for the past three years we have this record: 1922, 6,259 building permits, value, $35,257,375; 1923, 7,179 permits, value, $33,132,762; and 1924, 8,285 permits, value, $34,256,450. This shows new construction in the past three years of over a hundred million dollars, a record which has never before been equalled in the history of Pittsburgh.

Another index to the improvement of real estate in Pittsburgh is provided by the record of assessed valuations over the period that the graded tax has been in operation, and when we examine this record we find that the total building assessments have gone up from 282 millions in 1914 to 442 millions, approximately, in 1925, while land assessments have only increased in the same period from 480 millions to 548 millions.

The Pittsburgh Civic Commission, in its tax revision bulletin of 1912, contended that high land prices, with accompanying high land rents, were one of the chief obstacles to Pittsburgh's progress, and a survey made at that time brought out the fact that the average value of land per acre in Pittsburgh, as shown by assessments, was second only to that of New York City. This indicated that Pittsburgh's land prices were abnormally high and it was an avowed purpose of the graded tax plan to lower land prices or to retard the rising process. No careful analysis has been undertaken such as would be necessary to bring out all the facts as to what has taken place with relation to land values since the graded tax law has been on the statutes, but it seems beyond doubt from the evidence at hand that it has had a tendency toward lower land prices; that is to say that while land values constantly rise in all growing communities, the higher tax on land has prevented such inflation as we have witnessed in our own community in times past and such as has taken place in other large cities in recent years. Yet it is fair, in speaking of the higher land tax, to point out that the increased cost of local government has been responsible for this higher land tax to a greater extent than the graded tax law itself. Combining city and school taxes on land, we find an increase from $14.90 per thousand in 1913 to $31.00 per thousand in 1925, or a gain of $16.10, of which $11.75 represents the increase in the cost of public service and only $4.35 represents the increase due to the shifting of taxes from buildings to land.

But while judgments may differ as to the exact effects of the graded tax upon real estate conditions, the facts as to its results in lower taxes are subject to positive proof, being merely a matter of arithmetic. Since the first of the year 1925, when the graded tax law became fully effective, a study has been made from the official records of the department of assessors which reveals some very interesting facts.

OWNERS OF IMPROVED PROPERTY BENEFITED

While we have not undertaken an analysis of the entire city, our study of the tax situation has gone far enough to clearly indicate that the great majority of real estate owners are saving money in taxes through the graded tax law, in most cases this saving amounting to a very substantial percentage of their city taxes. It follows, of course, that the owners of vacant or under-improved land are paying higher taxes, as contemplated by the sponsors of the law, which, as already intimated, means that such land, where valuable enough to pay a considerable tax, is not likely to remain vacant or under-improved for a long period.

Owners of improved property of all classes are benefiting in lower taxes by reason of the graded tax law. Our survey of a large number of typical cases shows very great annual savings in taxes paid by various office buildings, manufacturing plants, warehouses, apartment buildings and single-family dwellings, the degree of the saving varying with the size and type of building in relation to the value of the land upon which it stands. (Note Exhibit "B.") Two of the largest downtown office building properties show tax savings by reason of the graded tax for this year of 10 and 15 per cent respectively, in each of these instances the actual savings in taxes for the one year being in excess of seven thousand dollars.

Apartment houses almost uniformly show substantial savings in taxes under the graded tax for the reason that they are usually structures of some size and value erected upon land of moderate price such as is to be found in residential districts. Two of the newly erected apartments show savings of 27 and 33 per cent respectively, in one case the actual tax saving being over ten thousand dollars for one year. On the other hand, a number of manufacturing plants and department stores occupying valuable land may be found which will not show any direct benefit in lower taxes from the graded tax, but as an offset to this, it should be remembered that very substantial savings have been made by manufacturers through the act of 1911 completely exempting all machinery from taxation, while the big department store is entirely free of taxation upon its stock of goods, whereas in other cities such stores pay heavy taxes on their "personal property."

EXHIBIT "B"—TYPICAL TAX SAVINGS

Apartment Houses

Name	*1925 Total Taxes*	*15.2 Old Plan Flat Tax*	*1925 Tax Saving*
Bellefield Apt.....	$3,654.11	$5,280.33	$1,626.22
Ruskin Apt.......	6,814.08	9,643.48	2,829.40
King Edward Apt..	4,358.06	6,247.05	1,888.99
Georgian Apt.....	2,057.25	2,819.60	762.35
Belvidere Apt.....	1,173.56	1,636.74	463.18
Schenley Apts.....	26,866.13	36,901.80	10,035.67
Terrace Court Apt.	2,422.68	3,408.44	985.76
Alder Court Apts..	2,026.16	2,910.50	884.34
Wightman Apt....	766.35	1,091.36	325.01
Morrowfield Apt...	8,158.41	12,059.37	3,900.96

Manufacturing Plants

Name	*1925 Total Taxes*	*15.2 Old Plan Flat Tax*	*1925 Tax Saving*
Westinghouse Elec. & Mfg. Co......	$6,961.61	$9,169.85	$2,208.20
Pgh. Meter Co....	4,966.85	6,175.15	1,208.36
National Biscuit Co.	13,211.60	17,568.16	4,356.54
Hershey Bros......	5,416.13	6,311.80	895.67
A. J. Logan & Co..	2,735.46	3,181.05	445.59
Liberty Baking Co.	4,191.72	5,395.38	1,203.66
Rieck-McJunkin Dairy Co.......	6,463.48	7,490.71	1,027.23
Armstrong Cork Co.	10,087.35	11,989.76	1,902.41
D. L. Clark Co....	3,840.14	4,505.72	665.58
Alling & Cory Co..	2,812.68	3,256.44	443.76

Office Buildings

Name	*1925 Total Taxes*	*15.2 Old Plan Flat Tax*	*1925 Tax Saving*
Oliver Building....	$61,833.53	$69,098.43	$7,264.90
Frick Building.....	48,516.00	56,057.60	7,541.60
Frick Bldg. Annex.	17,270.18	19,921.88	2,651.70
Union Bank Bldg..	17,246.19	19,523.18	2,276.99
Commonwealth Bldg.	14,103.18	14,793.24	690.06
Keystone Bk. Bldg.	8,915.21	9,419.29	504.08
Carnegie Building..	25,769.25	26,926.80	1,157.55
Keenan Building...	10,202.40	10,688.64	686.24
Westinghouse Bldg.	10,320.38	11,844.60	1,524.22
Bessemer Building.	16,592.75	18,443.83	1,851.08
Fulton Building....	20,286.44	23,033.02	2,746.58
Highland Building.	5,751.33	7,523.08	1,771.75

Residences

Name	*1925 Total Taxes*	*15.2 Old Plan Flat Tax*	*1925 Tax Saving*
Samuel Rattner....	$85.80	$112 48	$26.68
Michael J. Feeney.	366.60	452.96	86.36
John Lauterbeck...	20.48	27.36	6.88
Marke Pupich.....	34.13	41.80	7.67
Margaret Arensburg	242.39	306.73	64.34
Rose V. Kraeling..	346.13	440.80	94.67
Anna B. Miller....	54.22	76.46	22.24
William B. Rodgers	54.61	73.72	19.11
Mary V. Lee......	22.82	32.98	10.16
Charles Masur.....	66.31	95.00	28.69

But it is the home owner who stands out as the chief direct beneficiary of the graded tax. Only in rare instances do we find a home owner who has not been benefited to some degree by lower taxes through the operation of the graded tax law. The most striking example of the effect upon taxes on homes is afforded by an analysis of the taxes paid by property owners in the 13th ward, a typical residence ward, which shows that out of a total of 4,252 assessments, there are 3,250 cases where the taxes paid under the graded tax are less than would be paid under the old flat rate system, these savings ranging from 5 to 35 per cent. Of the remaining 1,002 assessments where the taxes paid under the graded tax system are higher, it is interesting to note that 980 of these represent vacant lots, leaving only 22 "improved" properties that are not paying lower taxes, and these 22 are properties that are not very adequately improved.

There has been an impression in the minds of many that the owners of large office buildings profit by the graded tax at the expense of the home owners because of the relatively small building investment of the latter. This assumption, however, is altogether contrary to the facts. The high land values in the downtown business district, known as the "Golden Triangle," much more than offset and cancel the partial exemption of the skyscrapers and other large structures in that section, while the home owner, though possessing a structure that seems insignificant by comparison with the skyscraper, is apt to find the value of his building from two to five times greater than the value of the land upon which it stands, and, of course, every property owner whose building value exceeds his land value on the assessment books is paying lower taxes through the operation of the graded tax. Nor is it essential that his building value should exceed his land value. If the land value is equal to the building value, or even as much as 10 per cent greater than the building value, his taxes will be lower under the graded tax as long as the present ratio between the total assessed valuations of land and buildings is maintained, the total of land valuations for 1925 exceeding the total of building valuations by more than a hundred million dollars. The city building tax rate is now 35 per cent lower by reason of the graded tax than it would be under the old system and this has made a substantial difference in the tax bill of the average home owner, who is more concerned with building taxes than he is with the taxes on land.

Our survey develops the fact that it is only the exceptional business structure in the downtown district that has a value sufficient to offset the high land value and thus show a saving through the graded tax. A study of approximately 1,200 property assessments in the "Golden Triangle" (comprised of parts of the 1st and 2d wards), shows that only 8 per cent, or about one out of twelve, pay lower taxes by reason of the graded tax. Since high land values are always to be found in the heart of the business district of a city, it is obvious that, under either the old or the new system, the downtown wards must pay the greater share of real estate taxes, but the higher the land tax, the greater is the proportion paid by the downtown section.

PRESENT STANDING OF THE PLAN

The expediency of the graded tax plan lies in the fact that it means tax relief for the majority of taxpayers and that it encourages the improvement of real estate, thus stimulating the development of the community. The justice of the graded tax plan rests upon the fact that land values are socially created, growing with the growth of population and the extension of public improvements, and are, therefore, in a peculiar sense, a natural and logical source of public revenue.

Naturally, the graded tax has not been without opposition. It has been fought by those largely interested in unimproved land, as well as by some who are opposed to the plan in principle. Its repeal has been attempted on several occasions, but its friends have rallied on each occasion and frustrated these efforts. It has been defended by the leading civic organizations and the daily press is practically unanimous in declaring for the maintenance of the law upon the statutes.

The present city administration, which is friendly to the graded tax idea, is not proposing at this time any further extension of it beyond the limits of the present act, but takes the attitude that now that the law has become fully effective, the plan should be given a period of five or ten years in which to fully demonstrate its value. When the taxpayers generally awaken to the realization that the repeal of the law would mean a substantial increase in taxes for the great majority of real estate owners, they are sure to present effective resistance against any future efforts to upset the system. As the graded tax grows in public favor, it seems unlikely that there will be any backward step, and there are even now indications that, within a few years, steps may be taken by interested citizens to extend the partial exemption of improvements beyond the present point through new legislation. Whether or not this will actually be brought about is, of course, largely a question of the development of public opinion as to the advantages of the improvement exemption idea.

THE INFLUENCE OF CIVIC ORGANIZATIONS ON GOVERNMENT

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Professor Lowrie discusses civic organizations and agencies, their general character, and their relation to governmental work. ::

OUR government by its very nature finds a large place for associations of citizens with no direct control over its machinery, but with, nevertheless, a most powerful influence over its operation. With us, it has been found particularly desirable for those with common views on public affairs and like purposes to band themselves together for advancing their projects. Particularly is this noticeable since the adoption of the equal suffrage amendment to the Constitution. It is not easy to weigh the immediate results of the extended franchise. But whatever the first fruits of the amendment may be, there is most enheartening evidence of progress in an awakened interest in civic affairs and a determination to become more familiar with the functions of the state. Citizenship courses are being organized, study classes enrolled, and inquiries directed as to the actual conduct of public affairs, which argue for greater enlightenment and a more intelligent participation in the privileges of citizenship. But the civic associations being formed are not restricted to purposes of self-enlightenment. They propose to be doers, as well as learners. The growth in the number and scope of the organizations seems to make timely an analysis of the place of such bodies and their influence upon our political institutions. Their effectiveness in advancing the causes they espouse is conditioned in large measure upon their ability to establish the type of machinery calculated to accomplish the work they have at heart.

LACK OF OFFICIAL LEADERSHIP

The first cause for the important rôle which our unofficial organizations play in the conduct of public affairs is the lack of leadership so often noticeable among our public officials themselves. This is due partly to our political institutions, and partly to the character of our officials. As students of American history well know, the experiences of our colonial fathers under monarchial institutions of Europe and the frequent clashes with the feeling of independence bred on the frontier, led to an antipathy to centralized officialism. This was nourished by a study of the political philosophy of the time—that of Montesquieu, Rousseau, and Locke. They believed in individualism and that the power of government should form through natural and mutually independent divisions—the executive, the legislative, and the judicial. This was perhaps the most important of a series of checks and balances which the federal constitution imposed. As Bryce points out, this division of authority was not intended to encourage an expression of public opinion so much as to thwart it—"to force the current of the popular will into many small channels instead of permitting it to rush down one broad bed." It resulted in separate organs each "too small to form opinion, too narrow to express it, too weak to give effect to it," and "tended to exalt public opinion above the regular legally appointed organs of government!"[1]

This situation has been further embarrassed by the character of our officials, who have, generally speaking, been chosen because of their neutral attitude on public questions rather than because of fitness for their public tasks. We have been swayed in the shaping of our institutions by the influences of the rural districts. The country is the place of the "average man" where the work of every-day life can be done about as well by one person as by another. So special aptitude and training are discounted and by popular elections men are chosen to office. But in selecting candidates for a ticket, other criteria determine than mere fitness for the positions. The most able men in the community and those who articulate most distinctly a popular trend are passed over. In some other countries, one's very position of leadership establishes his candidacy beyond question. He represents an opinion which he has helped to form and which he understands most thoroughly. But with us the fear of antagonizing those who reflect opposite views makes us pause, and one is rather preferred who, though, if possible, well known and whose name has been often before the public, has identified himself with no extreme faction and whose position on debatable questions is not too definitely taken. If his candidacy does not rally the enthusiastic support of any group, at least little hostility is aroused; and the efforts of a well organized party are usually sufficient to establish him in office. Thus it happens that our more able men and those whose minds have been applied most constantly to public questions often yield to less capable, but more "available" candidates, and the more prominent men augment the ranks of the unofficial, rather than the official forces of our society.

But even this obstacle would not prove insurmountable were the official, once introduced to his task, allowed to acquaint himself with its problems and the best methods of solution. However, our short terms leave him scarce time to master the rudiments of his position before he must again appeal for the popular verdict upon his record. Thus it comes about that, while there are countries where leadership is accepted by public officials because there one may not be an official unless he is a real leader, with us it is more frequently assumed by groups of private citizens. By long familiarity with these public matters, these latter have become the mentors of the community. We are, consequently, denied the constructive leadership which should be the fruits of any well officered government and are forced to rely on other guides to conduct us on our civic pilgrimage.

LACK OF PUBLIC INTEREST

But even in localities favored with the most thoughtfully framed charters and whose affairs are administered by thoroughly competent officials, the difficulties of keeping public affairs from being crowded out of the attention of the citizens seems no less serious. In some respects, the more perfect the functioning of government, the less the people seem inclined to concern themselves about it. And so matters run along until an unfortunate hiatus has come between the officials and the public. The former tend to become bureaucratic and impatient of the ignorance and short-sightedness of the public. The latter, sensing the lack of responsiveness are easily led into disaffection and for reasons often little related to the major program of the administration, stampede in a political turnover.

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[1] *The American Commonwealth,* (New York, 1915.) Vol. II, p. 271.

This tendency is perhaps increased as the nonpartisan movement gains ground. Although it has many sins to answer for, the political party has exerted an influence for political stability. Through party press and political henchmen it has defended the administration against the attacks of its enemies. Even the opposition has been useful. When it has been in the right, it has frequently called attention to mistakes before they developed to overwhelming magnitude and when it has been in the wrong it has allowed the administration to justify its course. In either event it has served to keep the activities of the government in the public eye. The worst enemy of an administration is indifference. And since the law often permits and sometimes requires popular participation in the more important projects, lack of interest and appreciation, even when opposition is slight, is often fatal. As these lines are written, the newspaper headline announces: "Baseball Game Defeats Bond Issue" and the dispatch reports that in a certain city, interest in the championship game in a minor league so engrossed the attention of the people that too few voted to give the project the majority required by law.

TYPES OF CITIZEN ORGANIZATIONS

There are several distinct types of citizen organizations acting as agencies for civic betterment. We have societies for the accomplishment of specific reforms, such as smoke abatement, better housing, supplying pure milk, or the establishment of civic service upon the merit system. There are associations interested generally in all that looks forward, such as city clubs, bureaus of municipal research, and improvement associations of various kinds. There are groups primarily for commercial purposes, but which see in a well governed community an asset of no mean value. Chambers of commerce, merchants associations, and real estate exchanges are of this character. These latter are taking an interest in public improvements because it is good business to do so. All of these types of organization are usually non-partisan in character and, because of the apparent disinterestedness of their motives, exert a more powerful influence than otherwise might attend their efforts. To this list should be added another agency, which is the advisory board. This is found more commonly in German cities than in our own. It consists of a selected group of townsmen interested in some civic enterprise to whom those in official charge may look for advice and support. This unofficial body has no legal control, but it exercises a real influence over public policies in its sphere and is a form of citizen endeavor which might, with profit, be employed more extensively in our own country.

Civic organizations, whether for the accomplishment of a specific reform, or for a more general program of betterment, are of two types. The one is militantly active in furthering its purpose. It aims a searchlight on specific difficulties and, through the agency of an aroused public opinion, seeks to accomplish definite improvements. The other is educational. It maintains an open forum for free discussion of public affairs and hopes through the diffusion of a wider knowledge to arouse citizens to a more active interest in civic matters. Each type has its place; but the machinery of each differs, and an attempt to employ a society organized on one plan for purposes for which it is not adapted may prove disastrous.

THE MILITANT GROUPS

The more combative type of organization is usually a smaller group, whose members can be aggressive in promoting its aims. Care must be taken in selecting its membership that none be included who is not in sympathy with its purposes. An illustration of this need for prudence may be taken from an episode of a few years ago in a typical American city with a thoroughly organized political machine. There existed in this community a healthy group of neighborhood societies known as improvement associations. Their purpose was to rectify conditions in their neighborhoods and to secure needed betterments. Each society had its corps of officers, and selected delegates to a federated body which sought to co-operate with the constituent organizations in advancing their ends, as well as in furthering projects of city-wide importance. But the independence and aggresiveness of these associations were not always pleasing to the political interests which dominated the affairs of the city. Criticism of the administration of public affairs was resented. Attention drawn to matters which might otherwise be overlooked was frequently embarrassing. A fight for control of the associations ensued, and, as they were captured one by one, the queries concerning public policies became fewer and less insistent. It is not difficult to seize the reins of government of such bodies. These associations are not closed corporations. They welcome as members all who evince sufficient interest in community welfare to allow their names to be proposed and to subscribe to nominal dues. When the attention of the members wanes, a prearranged *coup d'état* can be staged, and a well organized minority may seize the helm. One after another of these associations was commanded in this way and delegates elected to the federated society who were not only under the domination of the prevailing political party, but a majority of the representatives were actually on the public payroll. It is needless to add that these societies have, since this time, remained quiescent.

The importance of this principle is well recognized by so active a fighting organization as the trade union. It is one reason for its reluctance to join with welfare associations or to become identified with those whose only basis of affiliation is a professed interest in the laborers. Its membership is limited to workers whose economic status is on the same basis as that of their associates. They recognize that when one's treassure is on one side of a controversy the heart is likely to follow. But be they never so guarded in their acceptance of members, now and again those will be admitted whose purpose is not to further their ends, but to thwart them. Instances are related of those who have joined the union and have become influencial leaders, all the while serving as the paid agents of an employers' group—their real masters—and reporting from time to time the actions, plans, and purposes of their industrial enemies.[1]

A fighting organization must be composed of fearless men who realize that opposition of political or commercial interests is likely to mean personal attack. It must refrain from alignment with any political party even though it seems to have kindred interests; otherwise it will quickly lose the confidence of the people in its disinterestedness if it itself does not become biased. It must be organized for quick action and must possess means of publicity in order that its one weapon, public opinion, may be quickly brought into play.

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[1] Hearings before the Committee on Education and Labor, U. S. Senate, July, 1921. Pursuant to S. Res. 80. Washington [G. P. O.], 1921.

THE OPEN-FORUM ORGANIZATIONS

The open-forum type aims to secure as large a membership as possible in order to make its influence felt in many quarters. It need not scrutinize its membership so carefully, since militant action is not required of them. Its committees may investigate and study problems of government to secure a wider acquaintance with public questions. If its work is done wisely and well, it can hardly fail to result in the formation of separate bodies to go out from this parent group on special missions and assume aggressive attitudes. But the main function must remain primarily educational in character. Such a society is extremely vulnerable if it skirmishes with political or industrial organizations. The latter are certain, sooner or later, to defend themselves by attempting to control the society. Since membership is open to all, it is not difficult to wreck the association by having those subservient to party dictates, or agents of special interests, join the club in sufficient numbers. While an open-forum society may occasionally adopt martial tactics, a continuance of such a course is certain to result in reprisal.

But even though associations of this character are not interfered with by outside influences, difficulties are quite sure to arise within their own memberships. In a society formed to effect a definite reform, differences of opinion may exist as to methods, disputes may arise over incidentals; but there is a strong bond of unity of purpose to control the helm and hold fairly steadily toward a recognized goal. The members of a club for general civic betterment will invariably find a divergence of opinion among themselves. If any active policy is decided upon, a minority will find themselves in the awkward position of seeming tacitly to support a position to which they may, in fact, be opposed. The result will be that they will either become lukewarm in their interest in the society or, wounded in pride because personal advice is not taken, fall back upon their inalienable right to resign with all the *sang froid* of a cook "chucking her job." "Open-forum" clubs which become militant usually have most unstable membership lists. When their lines of activity please certain groups, recruits are secured who drop away when the course steered is less pleasing to them. After a large part of those in the community interested in civic affairs has passed through the mill, those remaining are usually too few in number to have any great influence toward civic reform.

NEED FOR CIVIC ASSOCIATIONS AND AGENCIES

It may be one of the disadvantages of a democratic society that there is no well defined group with a feeling of responsibility for the conduct of public affairs; that responsibility is so diffused as to make its recognition ponderous and difficult to arouse. If inconvenienced or disturbed because of the policies of our government, we know our misfortune is shared by others. We are prone to accept what fate has to decree with grim humor and turn our attention to private affairs. For this work of arousing a sense of responsibility for public acts, civic associations are needed. They must not only help to form an interested and enlightened public opinion, but must see that this opinion, when formed, finds expression in public acts.

It often requires no little self-restraint for associations organized to learn about public questions to refrain from embarking upon crusades when the need for a campaign has suggested them. Study of the questions, or even the emotional appeal of an orator often stirs them. Are they to remain inactive in the face of glaring abuses? Will they be nothing but a debating club or a knitting society? And so many a society formed in all sincerity for self-enlightenment loses sight of its purpose and yields to a demand for a quite distinct type of work. Many a conference for an honest exchange of opinion becomes a partisan organization as its members strive for advantage in position and try to advance their views. There is need in the communities in which we live for active associations of citizens. These we must rely upon in large measure not only for the enlargement of the scope of our knowledge, and for popularizing what may be well known to specialists, but also for pressing to accomplishment programs of reform. But their success in the development of our political institutions will depend in large measure on their ability to shape their own organizations for the specific ends they have in mind.

THE INDETERMINATE PERMIT FOR UTILITIES SERVING MUNICIPALITIES

BY HARRY BARTH
University of Oklahoma

Several states, starting with Wisconsin in 1907, have adopted the indeterminate permit. The advantages and disadvantages of such a permit are set forth in this article. :: :: :: :: ::

THE indeterminate permit, as a substitute for the usual franchise limiting the operation of a utility to a definite term of years, entered into the field of practical politics when Wisconsin in 1907 established this system as the law of the state. Since that time, it has been adopted by a considerable number of states in some form or other. The state of Indiana accepted it for all utilities in 1913. Ohio passed an act providing for indeterminate permits for street railway companies in 1913. California accepted the idea in what is known there as the resettlement franchise act of 1917. This applied only to street railways. Arkansas accepted the principle for all public utilities by Act 571 of the general assembly of 1919. This was repealed, however, at the next session of the legislature. The state of Louisiana by Act 94 of the extra session of 1921 adopted an indeterminate permit law for cities having a population in excess of 100,000. Minnesota in 1915 accepted the principle for telephone companies only. In 1921 the system was extended to street railways. The indeterminate permit principle has also been accepted in isolated cases throughout the country. It has often happened that a city has provided for the indeterminate permit in the absence of state legislation on the subject. An example of a city which provides for the indeterminate permit is Kansas City, Mo. In the charter, recently adopted, provision was made for this system.

The public utility companies have been thoroughly converted to the system, and in many states they are distributing educational matter on the subject quite widely. The American Electrical Association received a report on the subject from a special committee delegated to study the matter at its convention in Atlantic City, N. J., October 1924. The report was distinctly favorable, and the Association formally approved the idea. The Investment Bankers' Association of America has also approved of the plan in principle. The National Association of Railway Utility Commissioners, at its convention in Detroit in 1922, formally endorsed the indeterminate permit.

Due in large part to the effort of public utility concerns, determined efforts were made at the last session of the state legislatures to secure an extension of the system. Under pressure from the utilities, which frankly sponsored the idea, the state of Oklohoma accepted the indeterminate permit. Much printed matter was distributed, and a definite campaign of education in the press was also undertaken. The law went into effect on June 26, 1925. In Illinois, likewise, pressure has been brought to secure its passage. In Kansas the indeterminate permit is being widely advocated. These examples are merely illustrative of a general movement to adopt the indeterminate permit principle.

FEATURES AND BENEFITS OF INDETERMINATE FRANCHISE

There is nothing obscure about the indeterminate permit idea. It simply adopts the view that a utility should be given the right to operate, as long as it gives adequate service at a reasonable rate. The utility is told to establish services without fear of having its right to use the streets and alleys denied it at some future interval. It is told, on the other hand, that in case it does not give reasonable services it will have its right to serve the city cut off at any time.

Many benefits are prophesied for the utility from the indeterminate permit. In the first place, it is stated that amortization need not be extended over the length of the franchise, which is necessarily for an arbitrary number of years and bears no relation to the actual life of the property. If, for example, a utility secures a franchise for twenty-five years, prudent policy should dictate that the value of the property must be taken out of the earnings before the expiration of the twenty-five years. Otherwise, the utility may find itself with a distributing system on its hands but without power to sell its services, through the expiration of the franchise. This contingency would of course seldom arise. The usual experience, when a franchise expires, is for considerable bickering to take place, followed by the renewal of the franchise. The danger, however, always exists that the franchise may not be renewed, and it is wisdom therefore to guarantee the investment against loss by securing from current income enough additional income to cover the money invested. Where the property depreciates 100 per cent during the life of the franchise, rates need not be abnormally high to provide for the recoupment of the investor in case the franchise is not renewed. But this will not always be the case; in fact, it will seldom be the case.

In the second place, it is stated that the utility is benefited by the fact that it does not have to enter into politics. Where a franchise is subjected to periodic elections to determine whether it may be renewed, the utility operating under the franchise must necessarily engage in local politics. It must establish connections with local bosses. It must engage in petty deals with ward politicians. It must subject itself to constant harassing.

In the third place, it is stated that the indeterminate permit has the additional advantage of making possible lower interest rates for utility loans. Utility companies have not proved that the indeterminate permit, where it exists, actually produces a lower interest rate. They have shown no figures. However, from the viewpoint of theory, it should have that effect. Where no danger is run of failure to secure a franchise renewal, an investor will probably be willing to take a lower price for his money than where such danger is encountered.

These, then, are the chief advantages claimed for the indeterminate permit from the viewpoint of a properly managed utility. Where a utility is dishonestly operated, the advantages are even greater. A utility may under certain conditions by means of the indeterminate permit escape regulation altogether. If the revoking process is difficult, it need no longer fear the wrath of the consumers in case of inadequate service. It runs no great risk of being deprived of its franchise.

DANGERS AND ADVANTAGES TO CONSUMERS

There are, of course, dangers inherent in the system from the viewpoint of the consumer. What will happen if the regulating body does not function properly or if revocation is difficult? The utility will then be in the position of having a permit to run indefinitely. It may fix rates at any point it pleases, and be grossly lax in regard to services.

On the other hand, to the consumers, the indeterminate permit has certain advantages. With amortization adjusted to accord with depreciation, a substantial saving in rates may result. Lowered interest charges, theoretically at least, should also lower rates. With operating expenses cut, through the savings in expenditures for political influence, rates may also be lowered. All this assumes, of course, that there will be savings, and that the savings will actually accrue to the consumer rather than the investor. Whether such will be the result depends, of course, upon the honesty of the management and upon the effectiveness of the regulation to which the utility is subjected.

Be this as it may, however, the system of indeterminate permits contains possibilities of savings for operator, investor and consumer. It probably is an institution, which, sooner or later, will become a fixture in public utility management. Where a real system of indeterminate permits is adopted with proper safeguards, there will be little grounds for objection.

SOME COMPLICATING PROBLEMS

What complicates the situation is that the indeterminate permit is seldom adopted alone. The issue is not clean-cut. What usually happens is that a bill is introduced uniting the indeterminate permit with the certificate of public necessity and the delegation of regulatory authority to a central controlling organization. This naturally confuses the problem. Is the elimination of competition unquestionably a good thing? The adoption of a scheme of public necessity certificates makes this assumption. There is reason for questioning the institution in the electricity field, for example. There is some question as to whether it is wise to prevent competing companies from stringing electric wires on poles and jointly serving the citizens. This is especially true where there are several groups of companies, each controlling water rights and each in a position to give service. There will be duplication of equipment, but after all this is not a very large item in an electric distributing system. A lower rate, resulting from the competition, may more than justify the duplication. This does not mean that the elimination of competition is necessarily bad. The only point, which is being made here, is that a law which combines both the indeterminate permit and the certificate of public necessity may be opposed, not because of the indeterminate principle, but because of the certificate of convenience.

Where the indeterminate permit is combined with state regulation of a utility, what happens is that an old fight appears in a new form. In the case of Wisconsin, Indiana and Arkansas, the indeterminate permit is granted by the corporation commission, and the same organization is given power to revoke it. In the state of Oklahoma, the indeterminate permit is to be revoked, not by the city in which the permit has been granted, but by the state legislature. As a result, not the indeterminate permit principle, but state as opposed to municipal regulation becomes the storm center. This was especially true in Oklahoma. There was little objection voiced against the indeterminate permit idea. What was objected to was placing in the hands of the legislature the power to determine for four hundred cities when the utilities serving them were acting contrary to the general welfare and should as a result have their permits revoked. It seemed to most city officials that the indeterminate permit idea was being used to camouflage an attempt to eliminate all regulation. It was felt that the question of control and the public utility problems were being thrown into the legislative pool, in which they would forever be submerged. It seemed that a legislative dog-fight was to be depended upon for utility control.

EXPERIENCE OF WISCONSIN AND INDIANA CITIES

An investigation as to the effects of the indeterminate permit law in Wisconsin and Indiana throws little light upon the indeterminate permit. In both these states, there was the same confusion of the indeterminate permit, of the certificate of public convenience, and of state control. A letter was sent to the city attorneys of the larger cities in both states, requesting opinion in regard to the merits of the indeterminate permit. Invariably the answers dealt, not with the indeterminate permit, but with the effectiveness of state as opposed to municipal regulation. The truth of the matter is probably that the indeterminate permit feature was considered only in so far as it deprived the cities of the last vestige of control over the utilities. Even with state regulation a vestige of municipal control exists if the city grants a short-term franchise. With the extinction of this control through the indeterminate permit, the city has no weapon to compel adequate service whatsoever. The letters from the city attorneys indicate the degree to which state commissions have regulated utilities to the satisfaction of the municipal officials.

As a general rule, the Wisconsin cities were satisfied with commission regulation. Only one Wisconsin city gave a negative answer. A letter addressed to the city attorney of La Crosse brought the reply that, "it has been of doubtful value. The effect has been drawn-out litigation rather than effective results." This, however, was the only unfavorable reply out of a dozen. The rest were generally of the tenor that, although state regulation was looked upon with suspicion in the beginning, the caliber of the Wisconsin commissioners was such as to cause both rates and services to be adequately regulated, and probably better regulated than when each city tried to do the job individually. Judging by the replies, the indeterminate permit, the certificate of public convenience and state regulation are working acceptably in Wisconsin.

The replies from Indiana are tales of broken illusions, of deluded hopes. Few letters were received containing a good word for the Indiana commission. A reply from the city attorney of New Albany is typical. This follows:

> Answering your letter of March 19, I have to say:
>
> 1. It is true our state has the remarkable thing known as an indeterminate permit for utilities. Or rather, an indeterminate permit has our state.
>
> My advice to your League is to "lay off" from that particular invention of the devil. . . .
>
> As soon as adopted here, all utilities surrendered their franchises, that is to say: they were enabled to get out from under all their contractual obligations under which they occupied the streets, alleys and public places of the city. They did not give up their occupations of the streets, etc., but they very cleverly stepped out of the few things they had agreed to do, in order to get their franchise from New Albany.
>
> For instance, they had agreed to supply free water to church organizations, and free water to the hospital. They stopped doing this very quickly.
>
> It is proper to say that in this state, cities have no charter but are absolutely creatures of the legislature.
>
> Your state, and your cities are young, and my advice is to get a charter for your cities or any other basic authority which will preserve home rule.
>
> 2. Our state commission does not protect our citizens in rights and service. The men composing the commission are all right, and honest, but they simply cannot discharge all the duties which they are called upon to perform; besides, in many cases, as soon as a man gets thoroughly acquainted with the duties of the public service commission, he resigns and is employed as an attorney for the affiliated utilities.

A reply from the city attorney of East Chicago also indicates the trend:

> My opinion is that the theory is all right, but that its practical operation in any particular state is a serious matter. One thing is evident, the interest of the city and the utilities are not just the same, and the utilities are always in favor of the public service commission. My opinion is, cities should not surrender their power over the streets and that the city should name the conditions under which utilities may occupy the streets, and that the utilities should not be given power to avoid their contracts except as to rates.

The city attorney who wrote this states, however, that he sees within his own experience a change in the attitude of the commission more favorable to the consumers.

The city attorney of Peru states:

> Our experience has been that in some instances the commission has served in a beneficial way to the citizens, but in most instances the utilities seem to have the strongest pull with the commission.

The city attorney of Hammond states:

> I think all cities in Indiana are tired of the public service commission. We are for home rule, and we have made several attempts in the legislature to get away from the public service commission, but have always failed.
>
> The street car company, electric light companies and gas companies that have franchises with the city have all surrendered their franchises to the public service commission who fixes the rate and always fixes it high enough, and my advice to the Municipal League of Oklahoma would be to stay away from the public service commission as far as they can.

The city attorney of Logansport states:

> Replying to your favor of the 19th instant, in relation to the indeterminate permit for utilities, the public utility commission law of our state forced upon us the indeterminate permit for utilities. This law was fostered and promoted by the public utilities. It does not inure to the benefit of the cities, towns or taxpayers.
>
> To make you a short reply, it has been our ex-

> perience that this is a good law for the utility, but a very poor law for all other parties concerned. This utility commission has given in our own town an indeterminate permit to the interurban and street car lines. We have had a great deal of difficulty with this feature of the proposition in the pavement of streets and the control of service in relation to these two particular lines. They have raised our telephone rates and in our privately owned public utilities of light and water, because our city light plant was making money out of which we were hoping to erect some buildings for the city, they cut our rates to such an extent that it will delay our plans, and the ideals we had hoped for cannot be reached. This is only another plan of depriving the people of the right of local self government.
>
> As city attorney, I find that this form of control tends to centralize the government of the state in the capital, offer jobs and appointments for lame ducks, and for lack of interest or finance the citizen and taxpayer usually gets the worst end of the bargain.

Another city attorney states:

> It is a question whether the public service commission serves the public with the same fidelity that it serves the large utilities. The large utilities in this state and other states have an organization, and they appropriate out of their net earnings of the various corporations a certain per cent which is used as propaganda, and this propaganda is used to maintain public sentiment in favor of various bureaus and commissions, and particularly the public service commission. From this it might be argued with some degree of reason that the service corporations see in the public service commission some advantage or benefit to them which would not inure to them if they had to deal with the common council or other governing bodies of towns and cities, and had to depend on their franchise rights and rights prescribed by the various statutes.
>
> There has been much political agitation in this State about doing away with so many bureaus and commissions, and the public service commission has come in for its full share of criticism. . . .
>
> My own observation has been in matters which came before the public service commission in which our city was interested relative to electric light and power, gas and water and as good or better results could have been obtained without the aid or intervention of the public service commission.

These letters indicate the general opinion of Indiana cities. They indicate that the city officials at least feel that the public service commission is less able to deal with municipal utilities than would be the cities themselves. They indicate a strong feeling for home rule. They indicate a belief that the utilities have managed to ingratiate themselves with the commissioners. They indicate a belief that a commissioner will be unquestionably swayed in his judgment by the fact that at the expiration of his term he may receive a good position with an increased salary with a utility. They indicate that the cities feel an inability to cope with the high powered attorneys who represent the corporations before the public service commission.

These letters, of course, give no indication as to what the opinion on the indeterminate permit itself would be. Where a city has power to determine whether the permit may be revoked, the situation will be totally different. It is at least doubtful whether the utilities would be so strongly in favor of the system with municipal regulation. The chances are that it is not the indeterminate permit, but state regulation which is desired. It is interesting to note that the laws of Wisconsin, Indiana, Ohio, Oklahoma, Minnesota, and Arkansas either provide or provided for state control, with the indeterminate permit feature as secondary.

ADEQUATE SAFEGUARDS NEEDED

The indeterminate permit should be surrounded by adequate safeguards. Where municipal control is operating satisfactorily, it may well be adopted, but it should specifically provide for revocation by the city. In addition, the conditions under which it may be revoked should be thoroughly set down.

Otherwise, thanks to the 14th Amendment of the federal Constitution, it will unquestionably be the cause of litigation. Judicial squirmishness, where property rights are involved, is so intense that no danger should be run of discovering in the end that the utility has received not a revocable permit but a perpetual franchise. It should probably be laid down in the permit that the utility may be ejected from the city within a stipulated period, if the citizens at a general election have so determined. It should be provided that the citizens shall be the sole judge as to whether service has been adequate and rates fair. In order not to be unfair to the utility, an affirmative vote of 60 per cent of the citizens should be necessary for ejection. Probably, also the concern should be given five years to wind up its affairs.

Where local regulation has failed, and state regulation is looked upon as desirable, the indeterminate permit may be adopted also. It should not be assumed, however, that because municipal regulation has proved unsatisfactory, it should be abandoned. The mere failure of municipal control is not in itself a guarantee of state success. It should not be forgotten that there are grave doubts as to the ability of a public service commission, sitting at the state capitol, however honest it may be, to regulate the rates in a number of growing cities. The administrative problem is almost Herculean. The desirability of overloading our central administrative systems is questionable. The ability of men to bear the burden which centralization throws upon them is extremely doubtful.

Should the indeterminate permit be accepted where the state is the regulating body, the authority to revoke the permit should assuredly be vested in the public service commission. The Oklahoma plan of permitting the legislature to be the judge is vicious. The legislature is totally unfit to act in this capacity. It is already overburdened. An individual legislator already has more problems to think about than he can possibly handle. The many intricate questions involved in regulating utilities require expert judgment rather than the opinion of amateurs. In addition, the Oklahoma legislature is limited in its sessions to around seventy days out of every two years. It is difficult to understand how such a body can successfully determine whether utilities in several hundred cities are acting satisfactorily.

Where the public service commission has power to control utilities, it should certainly be given complete power to fix both rates and services. It may seem strange that a public service commission can be created without adequate powers of this character, and yet such is the case. The *sine qua non* of state regulation is a regulatory body of adequate powers.

In addition, the commission should be granted ample appropriations. The intricate task of controlling fifty or sixty utility companies cannot be done with insufficient funds. Yet there are few commissions, at least in the Middle West, which are not hampered through lack of money. This is parsimony rather than economy. Our state regulating commissions are in a position to perform possibly the most valuable service which states render, but they cannot be successful if they are handicapped through lack of finances.

The state of Oklahoma has an institution which is proving valuable. This is a special counsel to represent the cities before the corporation commission. A well qualified attorney now represents the cities before this organization. He is paid out of state funds, and performs a valuable function. The only defect of the scheme is that the agency is not sufficiently well provided for financially. In some months the counsel has the impossible task of preparing a brief a day. He has been in court for two weeks at a stretch. No lawyer should be compelled to work under such difficulties. With increased appropriations for this department and with increased powers for the corporation commission, state regulation in Oklahoma would have a real opportunity to prove its merits. As it is the cities cannot provide counsel equal in training and experience to the counsel of the utilities. Usually the counsel provided performs a labor of love as it is underpaid. It is only seldom that it can devote full time to cases before the commission. A better equipped counsel for cities in the corporation commission would tend to eliminate dissatisfaction.

Another prerequisite of a satisfactory indeterminate permit system would be definite specifications in regard to the revocation of permits. In at least one state, Oklahoma, it is provided that the permit may not be revoked unless no injury is done to the owners of the utility and unless the citizens of the entire state are being harmed by a continuance of the permit. Qualifications such as these may be interpreted by the courts so as to make revocation impossible. At best, vague limitations of this character can lead only to endless litigation and strife with accompanying increase in the work of the courts and decrease in popular regard for the institutions of government. It is difficult to see how the indeterminate permit can be revoked without endless conflict over the clause forbidding impairment of obligations and the due process bug-a-boo.

One excellent feature of almost all the laws is provision for municipal purchase. This is a blanket safeguard against the worst abuses. If conditions become unbearable, the city as a last resort can buy the utility and operate it. This would involve embarcation upon municipal ownership, which is at best hazardous. Still it is a last bulwark, and should never be omitted from an indeterminate permit law.

MUNICIPAL ADMINISTRATION AND FEDERAL HEALTH ACTIVITIES

BY JAMES A. TOBEY
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The federal government appropriates annually sixty-five million dollars for health and medical relief. :: :: :: :: :: ::

When a city official wishes to secure authoritative information on the various phases of public health he may get it from many different federal bureaus. If, for instance, he wishes data or assistance on school hygiene, the division of school hygiene of the bureau of education in the interior department, or the public health service in the treasury department can give it to him, while the bureau of home economics in the department of agriculture issues an excellent pamphlet on school lunches. If information on child hygiene is desired, the city official may get statistics from the division of vital statistics of the census bureau in the department of commerce, statistics and advice from the children's bureau in the department of labor, still further material from the public health service, an outline for study on this topic from the federal board for vocational education, and information on foods and child feeding from the department of agriculture. There are also one or two other sources of federal help on this subject.

Similar examples could be given for many other branches of public health. Rural hygiene, sanitary engineering, nutrition, industrial hygiene, and various other topics are investigated, and in a few instances, regulated by different bureaus of the federal government. In fact, there are at least thirty separate bureaus or other branches of the national government which are interested, directly or indirectly, in some phase of the public health, though, of course, with only about one-third of this number is public health the major and primary duty of the bureau. No wonder that the municipal official is sometimes a trifle perplexed as to where to turn for advice, data, standards, or laws. If he goes to Washington to confer, he must wander all over that city in order to locate the diffused offices from which public health is dispensed.

Although so many disconnected bureaus of our government, scattered through the ten executive departments and the several independent establishments, are concerned with public health, duplication of effort is not as great as might be expected. The field is so broad and there is so much to be done, usually with limited funds, that actual overlapping is not prevalent, though there is considerable duplication of functions. Sanitarians, experts in political science, and state and municipal officials are agreed, however, that the now diversified health activities of the federal service should be effectively co-ordinated and, to a considerable extent, centralized. Such a step need not involve any expansion of existing work, nor necessarily the creation of a new department of health with a secretary, but merely a better re-allocation of the bureaus actually engaged in health duties, with a single executive, at least an assistant secretary, in charge.

RESPONSIBILITY PRIMARILY THE STATES'

Under the American plan of government, the care of the public health is primarily a state responsibility. It forms a part of the police power, which was enjoyed by the states before the federal constitution was adopted, retained by them afterwards, and, in fact, specifically reserved to them by the tenth amendment. The actual administration of the police power has been delegated in a large measure to local governments, as the agents of the state, a principle which is sound and has often been upheld by the courts. The federal government does, however, have certain legitimate public health functions. These include the prevention of the entry of disease from without, that is, foreign quarantine; the prevention of the interstate spread of disease; research into public health problems; and popular health instruction. The treaty making power and the authority to impose taxes may also involve public health matters, and taxation is often used for regulatory as well as revenue raising purposes. The federal government may also be a central source of advice and information on health matters and may assist states or municipalities when invited to do so. It has frequently given such co-operative service on request.

THE FEDERAL AGENCIES

The chief federal health agency is the public health service. Up to 1912 this bureau bore the title of marine hospital service. It was definitely organized in 1870, though medical relief to seamen and others had been given by the service since 1798, when congress passed a law authorizing collectors of customs to collect twenty cents a month for each seaman of the American merchant marine in order to provide necessary medical aid. This service came under the treasury department and so, for historical reasons only, the public health service is to-day in that department. The scope and duties of the service have been expanded from time to time until to-day it receives about nine million dollars annually, has a personnel of over 4,000, and is organized into eight divisions, including (1) scientific research, (2) domestic quarantine, (3) foreign and insular quarantine and immigration, (4) sanitary reports and statistics, (5) marine hospitals and relief, (6) venereal diseases, (7) personnel and accounts, and (8) general inspection service.

The children's bureau in the department of labor is another important federal health agency. It was created in 1912 to investigate and report on all matters affecting child welfare, especially infant mortality, the birth rate, orphanage, juvenile courts, desertion, dangerous occupations, accidents and diseases of children, and employment. It administered the first federal child labor act, which was declared unconstitutional in 1918, and in 1921 was charged with the administration of the federal maternity and infancy act, by which federal subsidies are granted to the states. This bureau has a personnel of about 160 and is organized into divisions of: maternity and infancy, child hygiene, industrial, social service, statistics, and editorial. For 1925 it received $1,334,012, of which $1,007,092 was for maternity and infancy, to be spent by the states.

The department of agriculture has a number of bureaus interested in public health. The bureau of chemistry, with an annual appropriation of well over a million dollars, does the analytical work under the pure food and drugs act of 1906, while the bureau of animal industry receives about four millions for the inspection of meat intended for shipment in interstate commerce. This bureau also attempts to eradicate tuberculosis in animals and does other work affecting human health. The bureau of home economics studies human nutrition, receiving annually over $100,000 for this and other home economics investigations. There is in the department a bureau of dairying, and the bureaus of entomology, public roads, agricultural economics, and the extension service all have some kind of a health interest. The latter service has over 900 home demonstration agents who do much health work in rural counties.

The departments of interior and commerce likewise are concerned with national vitality. The office of Indian affairs in the former department has a medical division, and the bureau of education maintains a division of school hygiene and also looks after the health of the natives of Alaska. The bureau of mines is charged with investigations of improved methods of mining, particularly from the standpoint of health and safety. In commerce we find vital statistics collected by a division of the bureau of the census.

REORGANIZATION NEEDED

There are still other bureaus and independent establishments which might be mentioned, but enough have been cited to indicate the dispersion of health functions in Washington. These various bureaus have gradually evolved over a long period of time. In fact, all the executive departments represent a hodge-podge of administrative duties. Every president from Roosevelt to Coolidge has recommended that they be reorganized, and attempts have been made from time to time to do so, but congress has not yet seen fit to pass the legislation needed. A new department of health has been advocated on a number of occasions and a serious, but unsuccessful attempt was made to secure such a department in 1910 and 1912, the movement having the indorsement of President Taft.

More than fifteen million dollars is appropriated annually to the various public health agencies of the government, and another fifty million goes for medical relief. A centralization of the health functions would not only conduce to efficient operation, but undoubtedly could demonstrate an actual saving, thus satisfying those who are desirous of economy in government. Municipal and state officials and the public generally would be better off if they could deal directly with a central federal health authority. Pamphlets, of course, may now all be purchased from the superintendent of documents, but the various bulletins desired can be obtained free only by applying to many bureaus. Printed matter is not, however, the only basis for contact. A certain amount of advice and counsel and even of leadership is essential. Since we have 48 state sovereignties, the federal government, as a unit, must supply such scientific guidance as is desired by the states.

A study of all the federal health agencies is now under way under the auspices of the Institute for Government Research. Following this first step of assembling all the facts, the second will be to suggest a practical plan for co-ordination, and the third to induce congress to adopt it. When the second and third stages are reached, the advice and support of municipal officials will be needed and will be of great value. Correlation of federal health work means the enhancement of national vitality and that means not only health and happiness, but national progress and a contribution to the advancement of American civilization.

CHIEF ELEMENTS OF CONTROVERSY IN PUBLIC UTILITY RATE MAKING

IV. REPRODUCTION COST AND CHANGING PRICE LEVEL

BY JOHN BAUER

Public Utility Consultant, New York City

> "*The only rational course is to base rates definitely upon actual cost and place rate making upon an exact and scientific foundation.*" ::

In the preceding articles I discussed depreciation as an element of controversy in public utility rate making. The position taken was that depreciation represents costs of property chargeable to service, and that the whole matter is a question of cost apportionment. So far as the investment is concerned, under proper accounting the original cost of all units of plant and equipment used in operation is shown in the property accounts, the part of such original cost which properly belongs to past operation is stated in the depreciation reserve. The difference between such original cost and the depreciation reserve, is the cost that belongs to future operation and is the net monetary investment in the property. If these facts are not shown properly by the accounts, they may be established by appraisal.

If the principle were definitely established in law that reasonable rates should be based consistently throughout upon the cost of service, then the net investment as reflected by the original cost of the properties less depreciation, would be the proper basis for rates. As to operating expenses and taxes, the actual reasonable cost has become accepted for rate making, but the return on the properties has not been placed upon a definite cost basis. We have here the element of present controversy which has caused the great bulk of rate litigation and the deadlock in regulation.

SMYTH *v.* AMES "FORMULA"

The difficulty is that the so-called rate base on which the owners of a utility are entitled to a return, was never exactly defined either by the legislative bodies providing for regulation or by the courts which have passed upon questioned validity of rates.

Nearly thirty years ago the Supreme Court of the United States laid down a general rule for determining the necessary return on the properties. In the famous case of *Smyth* v. *Ames*, the Court held that a company is entitled to a fair return on the value of its properties, and in determining such value consideration must be given to

> . . . the original cost of construction, the amount expended in permanent improvements, the amount and market value of its bonds and stock, the present as compared with the original cost of construction, the probable earning capacity of the company under particular rates prescribed by statute, and the sum required to pay operating expenses . . . and are to be given such weight as may be just and right in each case. We do not say that there may not be other matters to be regarded in estimating the value of the property. What the company is entitled to ask is a fair return on the value of that which it employs for the public convenience. On the other hand, what the public is entitled to demand is that no more be exacted from it for the use of

> a public highway than the services rendered by it are reasonably worth.

At that time this statement was reasonably adequate. The decision was made in 1898, when there was no particular issue between original cost of the properties and reproduction cost. With the exception of land, for the following ten years, or even up to the World War, the reproduction cost of utility properties was probably no greater in most instances than the original cost. Consequently, during that entire period, when the courts spoke of reproduction cost they had in mind no issue perceived as materially affected in contrast to actual cost of the properties. "Fair value" could be assumed to be determined equally well by reproduction cost or actual cost. But the actual-cost figures, prior to the more recent commission control, were seldom available; hence reproduction cost was a common method of valuation, without any thought of conflict with actual cost.

"FORMULA" BECOMES INADEQUATE

But this situation changed suddenly after 1914, with the sharp increases in prices and the much greater cost of all classes of construction. Then a great difference burst forth between reproduction cost and original cost, and the issue stood clearly drawn before the commissions and courts. The old statement of *Smyth* v. *Ames*, which had done service for fifteen years, became inadequate under the new conditions when there were great differences in the elements mentioned. Previously "fair value" might be determined by either original cost or reproduction cost, if the amounts were properly ascertained, without affecting seriously the relative rights of the investors and the public. But afterwards it became important which method was used.

The time had come when the loose statement was no longer workable, and when an exact definition or formula was necessary. But the old phrases had done service so long, and the elements of "fair value" detailed in *Smyth* v. *Ames*, had been cited so often, that they could not readily be abandoned. Consequently we still have the same so-called "formula", and are struggling with the uncertainty as to what it means. Each side in every case is practically free to make its own interpretation. We have an era of litigation instead of regulation.

ATTITUDE IN RECENT DECISIONS

Perhaps the situation is not quite so chaotic as the above description seems to imply. The Supreme Court has after all given some intimation of what it would deem "fair value" under present conditions and has indicated some reasonable limits to the claims made by interested litigants. On the one extreme it has recently declared flatly that a company is not entitled to a return on the reproduction cost. In the Georgia Railway and Power Company case, Judge Brandeis, speaking for the majority, stated that

> the refusal of the commission and of the lower court to hold that, for rate making purposes, the physical properties of a utility must be valued at replacement cost, less depreciation, was clearly correct (262 U. S. 625, 632).

In this case the valuation fixed by the Railroad Commission of Georgia was based predominantly upon actual cost, or pre-war costs, except that $125,000 was allowed as appreciation of land. The total valuation approved was $5,250,000 compared with $9,500,000 claimed by the company on the basis of reproduction cost less depreciation. In sustaining the commission's appraisal, Judge Brandeis said:

Here the commission gave careful consideration to the cost of reproduction, but it refused to adopt reproduction cost as the measure of value.

From this case it can be strongly argued that as an ultimate test of confiscation, the Supreme Court will give preponderant consideration to actual cost, less depreciation; *i.e.*, judging the fairness of the return on net investment in useful property. Moreover, a survey of all the rate cases passed upon by the Supreme Court does not reveal a single instance of rates declared confiscatory where they brought as much as 6 per cent or 7 per cent return on investment, but failed to bring such a return on reproduction cost less depreciation (or with a substantial allowance for reproduction cost).[1]

In spite of the decisions thus stated, it cannot be conclusively asserted that actual cost would be sustained if the rates brought a return of 6 per cent or 7 per cent on net investment. Even in the Georgia Railway and Power case, Judge Brandeis called attention to the fact that the commission had given consideration to reproduction cost and had allowed $125,000 as increment in land value. In two other cases, however, one decided on the same date with the Georgia Railway and Power case[2] and the other three months earlier,[3] the Court did emphasize the necessity of giving weight to reproduction cost, although in those cases the rates were inadequate even on the basis of actual cost.[4] In a case where the point is clearly the determining issue, the Court may refuse to uphold rates where no weight was given to reproduction cost but where an otherwise adequate return was realized on actual cost less depreciation.

CLARIFICATION NEEDED

The situation is thus fraught with confusion. The issue is clear, but there has been no definite decision because the matter has not appeared before the Court in a sufficiently specific manner to require decision. In the public interest, it is highly essential that two things be done: (1) that cases with the facts and principles properly presented shall be brought to the Court for decision in such a way that the ultimate issue cannot be avoided, and (2) proceeding with constructive legislative action to place rate regulation on a definite and workable basis.

There is no doubt that from a broad public standpoint, which includes not only the interest of municipalities and consumers, but in the long run also the investors in public utility securities, the desirable and necessary basis of rates is actual cost of the properties less depreciation; actual investment made for the public service. The outright acceptance of this fact would put rate making systematically upon a cost basis throughout, and the facts could be kept under definite accounting control. In the case of any one company, only a single appraisal would be necessary to fix the amount of the investment; then subsequently all additions and retirements of property would be shown by the accounts as definite facts beyond dispute. Rates would then be on a scientific basis, and could be raised or lowered without litigation. The rights of the investors and the public would be exactly defined and accurately shown. There would be an end to the constant litigation with which rate making has been involved, which has been extremely costly, has produced serious irritation between public authorities and the companies, and has not produced satisfactory regulation for the public or investors. A definite basis of rates is a prerequisite to effective regulation. No body is benefited by indefinite principles and indeterminable facts.

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[1] See analysis of cases by Judge Brandeis in minority opinion Southwestern Bell Telephone case (262 U. S. 276).

[2] Bluefield Water Works and Improvement Co. *v.* Public Service Commission of West Virginia, 262 U. S. 679.

[3] Southwestern Bell Tel. Co. *v.* Public Service Commission of Missouri, 262 U. S. 276.

[4] See minority opinion by Judge Brandeis in Southwestern Bell case and his statement in Bluefield Water Works case.

UNDISPUTED RATE BASE ESSENTIAL

The whole matter rests upon the question of actual cost versus reproduction cost as the recognized rate base. If actual cost is accepted we are then in a position to deal with exact facts scientifically determined.

The fundamental objection to reproduction cost is that it does not represent a definite quantity based upon actual facts and capable of constant and exact determination. The result is that there is no positive basis to show at any time whether rates are reasonable or not. With every attempted rate adjustment, a new valuation is required or at least sharp differences of opinion immediately appear as to the rate base.

It is now fairly common knowledge that prices are constantly changing and do not maintain a fixed level for any long period of time. Consider the changes since the Civil War: first a long steadily declining curve down to 1897; then a rising curve till 1914; followed by upward soaring prices during and after the war till 1920; a sharp decline till 1921; an oscillating curve since 1921 ranging near 50 per cent above the 1913 average. But even during the past two years of comparatively stable prices, the range from the lowest to the highest is 47 per cent to 61 per cent above the 1913 average. To-day prices are approximately 230 as compared with the low point of 1897.

What is to be expected for the future? We certainly have little reason to look for any greater stability in prices than we have had in the past. There will be downward and upward swings, with minor oscillations, and these constant changes make reproduction cost an unworkable basis for satisfactory rate control. It would involve repeated valuations with constant guessing and uncertainties. It would promote deadlock in regulation.

SPECULATIVE ELEMENT IN UTILITIES

There is, however, also another serious objection to reproduction cost from a broad public standpoint, including investors as well as consumers; it would preserve and accentuate the speculative element in public utility finance. Consider that on the average about 75 per cent of the actual investments in public utility properties has been made through bond and preferred stock issues and only about 25 per cent through common stock. If this fact is kept in mind, also that bondholders and preferred stockholders are limited to a fixed return on their actual investment, does it not follow that during rising prices reproduction cost would bring to the common stock increasing returns far out of proportions to the increase in price level, and would stimulate speculation in the stock? Likewise, during long or sharply falling prices, reproduction cost would bring financial pressure upon the company because of fixed interest charges, and ultimately would not only take away all return from the common stock but would bring insolvency to the company. It simply would not prevail against long falling prices, like those following the Civil War, without producing financial chaos in the industry and greatly impairing service for the public.

AN ADJUSTMENT THAT DOES NOT ADJUST

Reproduction cost is urged as a method of adjusting the return to the investors according to the shifting purchasing power of money during rising or falling prices. But, as a matter of fact, does it achieve any such result, which, if it could be satisfactorily attained, would be highly desirable? First, is it not clear that the bond holders and preferred stock holders, the bulk of the investors, would be excluded from any such adjustments? As already indicated, during rising prices they would be held to their fixed monetary return, and during falling prices even their limited payment might be endangered.

But, secondly, even the common stock would get no such direct adjustment as is inferred by the supporters of reproduction cost. During rising prices, the additional money returns would be all out of proportion to the decrease in the purchasing power of money, because the common stock holders would get the total benefit of the higher valuations allowed not only on their own investment but also on that of the bond holders and preferred stock. But during falling prices they would pay the full penalty for their undue advantage during rising prices; their return would decline in much greater proportion than the fall in prices, and might disappear altogether, with insolvency besides.

This is an extremely critical issue that is not squarely faced by the supporters of reproduction cost. What would happen to common stock if we were to experience a long period of falling prices of 50 per cent during the next thirty years, as occurred after the Civil War?

CONCLUSION

The only rational course is to base rates definitely upon actual cost and place rate making upon an exact and scientific foundation. This will require not only a proper presentation of the cases to the courts for consideration of the broad issues, but also legislative action to establish definite policies and methods for rate making. Otherwise, floundering and confusion will continue indefinitely.

A more comprehensive discussion and presentation of a systematic plan, including an adjustment for the existing investment of the common stockholders, has been set forth by the writer in "Effective Regulation of Public Utilities," Macmillan, July, 1925.

THE COMPARATIVE TAX RATES OF 215 CITIES, 1925

BY C. E. RIGHTOR

Detroit Bureau of Governmental Research, Inc.

The REVIEW *again publishes the comparative tax rates of municipalities. Reprints are available.* :: :: :: :: ::

What is the tax rate of your city, and how does it compare with that of other cities?

These and other questions pertaining to the taxes on property are pertinent today, and are of growing interest to industries and business, to home-owners and public officials everywhere. On every hand we hear of citizen groups and official committees who are studying the problem of taxation, to learn whether taxes may be reduced and how.

To make available a current statement of the tax rates and the actual tax burden in cities having over 30,000 population, the Detroit Bureau of Governmental Research has compiled the accompanying tabulation, showing the actual tax rates for 1925, by purposes; the adjusted total tax rates upon a basis of a uniform assessed valuation of 100 per cent; and the tax burden in each city as estimated when consideration is given to the practical application of true value in assessing.

1925 POPULATION LISTED

The cities are listed in the five census groups in order of population according to the estimates of the Census Bureau for July 1, 1925, except in a few instances where no official estimate was made; in these latter cases, the 1920 census was used unless a local estimate was furnished. For cities in Florida, Iowa, Kansas, Massachusetts, New York and Rhode Island, state census figures were used where available and adopted by the Census Bureau. It is obvious that the 1920 census figures result in placing such cities unduly low in the list, but as per capita figures are not used in the tax rate tables, such listing does no great harm.

PROPERTY TAXES ONLY

The tabulation is confined solely to tax rates on property, both real and personal. It serves as a gauge to the contribution to the local units of government from this source, but no indication is given of possible other sources of revenue toward the total operating budgets of the subdivisions. It is known, for example, that some cities receive a portion of a state income tax in lieu of a tax on personal property. The relative proportions of real and personal property are set forth, but that is all it is possible to do in this tabulation.

The tabulation is simplified from that of previous years, the rates being listed only for the four main political sub-divisions—city, school, county and state,—the levy for debt being included this year usually with the unit which issued the obligation. Further, the ranking of the cities according to the amount of readjusted tax rate is omitted, as injustice is done to some cities by such ranking owing to the difficulty of obtaining a satisfactory estimate of the practice of assessing as to full value.

The total tax rate column should indicate, for any city, the aggregate amount of taxes per $1000 of assessed value paid for all purposes by the taxpayer. Owing to the varying legal bases of assessment in several states, however, this total does not afford an accurate basis for comparison of actual tax levy. To make possible such comparison between cities, the total rates have been adjusted to a uniform 100 per cent basis of assessment, as shown in the column "adjusted tax rate." A range in the total rates is thus disclosed of from $63.85 per $1000 for Fresno to $16.50 for Winston-Salem, omitting Washington with a $14 rate. For Canadian cities, the range is from $46 for Edmonton to $22.80 for Winnipeg. The average for all cities is $31.85.

TAX RATE VERSUS TAX BURDEN

It is not to be assumed, however, that the present day basis of property taxation is at such high figure when the real value of the property is considered. It is recognized generally that all taxable property in our cities is not usually assessed at full value, as the assessing officials cannot keep pace with increasing values. The real tax burden in such event is lower than the actual rate, in proportion as the valuation is low.

When attempt is made to determine

the actual burden, therefore, through further adjustment of the uniform rate according to the practically applied basis of assessment in each city, the average burden is found to be considerably reduced from the average rate. Using the best information available for all cities, the burden in 1925 was found to be $24.15 per $100 of full value,—or less than 2.5 per cent. This burden is shown in the column "readjusted tax rate," Pueblo having the highest rate, $48.74, and Little Rock the lowest, $10.32. Of the Canadian cities, Edmonton remains high, with a rate of $36.80, and Ottawa is low, with $21.13. It is interesting to note, in passing, that the cities in the lower census groups show a higher average tax burden than those having a population of 100,000 and over. Milwaukee seems to be a good example of a city placing the average tax burden upon its citizens.

It is believed that the average of $24.15, or approximately 2.5 per cent, is of much significance when consideration is given to the possibility of tax reduction. Can we expect our cities to continue their multiplicity of services (Detroit records show over 200 activities in 1925) at a smaller figure? Will it, rather, tend to increase; particularly for education? It seems probable, in the light of so many popular demands for more and better public services, that the downward trend in the cost of our federal government cannot be applied consistently and successfully to our local governments.

THE TREND OF TAXES

The figures for a single year do not permit of comparisons to determine the trend of the property tax in cities. Detailed analysis was made, however, for the years 1923 and 1925 of the rates in 53 cities over 100,000 population reporting each year.

Of the 53 cities, 6 reported no change in rates in the three years. Of the remaining 47 cities, 27 reported an increase totaling $61.94 per $1000, and 20 reported a decrease totaling $52.67. The net increase, therefore, in seven cities was $9.27. For all the cities included, the net increase in the tax rate in the two-year period was 16½ cents per $1000. This appears to be a very low rate of increase, considering the many elements which may affect a tax rate.

A careful analysis of 200 cities for which complete data are available shows that the tax dollar is distributed, as was suggested last year, very nearly 40 cents to the city, 30 cents to schools, 20 cents to the county, and 10 cents to the state.

A concluding observation might be made relative to the availability of financial information for citizens and others. Generally, the tax rates and similar information are available, but in some instances it is astounding to note the difficulty of obtaining same. No wonder the public is uninformed or indifferent about its government! One correspondent wrote: "Our city auditor is the only person who can give you the information you are seeking." That auditor did not reply,—but worse, that city is in jeopardy.

Requests were sent to 247 cities and 13 Canadian cities, having a population of 30,000 and over in 1920. The Census Bureau recently reported 277 cities in the United States having that population on July 1, 1925, but the list was received too late to address enquiries to the 42 new cities (two cities have dropped below 30,000 since 1920). Subsequent compilations will be upon the basis of the 1925 census estimates, and the continued co-operation of all public officials be sought.

COMPARATIVE TAX RATES FOR 215 CITIES OVER 30,000 FOR 1925

COMPILED BY THE DETROIT BUREAU OF GOVERNMENTAL RESEARCH, INC.

From Data Furnished by Members of the Governmental Research Conference, City Officials, and Chambers of Commerce

	Census July 1, 1925	Assessed valuation	Per cent		Fiscal year begins	Date of collection of taxes	Tax rate per $1,000 of assessed valuation					Legal basis of assessment (per cent)	Adjusted tax rate to uniform 100% basis of assessment	Estimated ratio of assessed value to legal basis (per cent)	Final readjusted tax rate
			Realty	Personalty			City	School	County	State	Total				
Group I Population 500,000 and over															
1. New York, N. Y.[1]	6,103,384	$12,140,856,093	98	2	Jan. 1	June 1 Dec. 1	$19.17	$5.38	$0.96	$1.25	$26.76	100	$26.76	92.5	$24.75
2. Chicago, Ill.[2]	2,995,239	1,788,275,485	77	23	Jan. 1, '24	Jan. 2, '25	41.40	30.30	5.80	6.50	84.00	50	42.00	75	31.50
3. Philadelphia, Pa.[3]	1,979,364	3,629,466,717	77	23	Jan. 1	Jan. 1	17.50	9.50	....	....	27.00	100	27.00	90	24.30
4. Detroit, Mich.[4]	1,242,044	2,757,664,010	79	21	July 1	July 1 Dec. 1	14.27	6.11	2.59	2.10	25.07	100	25.07	80	20.06
5. Los Angeles, Calif.[5]	1,195,344	1,374,750,565	82	18	July 1, '24	Oct. 15, '24	17.00	13.90	6.80	....	37.70	100	37.70	50	18.85
6. Cleveland, Ohio	936,485	2,149,390,230	68	32	Jan. 1	Dec. 20, '24 June 20, '25	10.80	5.94	2.25	2.91	21.90	100	21.90	85	18.62
7. St. Louis, Mo.	821,543	1,035,197,570	85	15	Apr. 8, '24	Nov. 1, '24	15.10	8.60	....	1.00	24.70	100	24.70	75	18.53
8. Baltimore, Md.[6]	796,296	1,543,064,251	60	40	Jan. 1	Jan. 1	21.67	4.13	....	2.73	28.53	100	28.53	90	25.68
9. Boston, Mass.	781,529	1,808,705,398	90	10	Feb. 1, '24	Oct. 15, '24	13.59	7.06	1.64	2.41	24.70	100	24.70	100	24.70
10. Pittsburgh, Pa.[7]	631,563	988,830,120	100	..	Jan. 1	Jan. 1	15.15	11.50	6.37	....	33.02	100	33.02	85	28.07
11. San Francisco, Calif.[8]	557,530	684,099,920	82	18	July 1, '24	Oct. '24 Jan. '25	28.62	6.08	....	....	34.70	100	34.70	50	17.35
12. Buffalo, N. Y.[9]	538,016	802,203,610	99	1	July 1	July 1	30.22	....	5.43	....	35.65	100	35.65	66	23.77
13. Milwaukee, Wis.	509,192	755,229,851	76	24	Jan. 1	Dec. 15, '24	16.32	8.80	4.56	1.92	31.60	100	31.60	76	24.00
Group II Population 300,000 to 500,000															
14. Washington, D. C.[10]	497,906	1,282,093,104	60	40	July 1, '24	Nov. '24 May '25	14.00	....	....	....	14.00	100	14.00	100	14.00
15. Newark, N. J.	452,513	660,233,508	82	18	Jan. 1	Apr. 15	18.61	9.09	5.40	4.70	37.80	100	37.80	100	37.80
16. Minneapolis, Minn.[11]	425,435	292,983,070	82	18	Jan. 1	Jan. 1	35.54	20.70	7.02	5.73	68.99	38	26.22	85	22.29
17. New Orleans, La.	414,493	476,710,669	68	32	Jan. 1	June 1	20.50	7.00	....	8.75	36.25	85	30.81	100	30.81
18. Seattle, Wash.[12]	411,578	244,057,734	80	20	Jan. 1	Mar. 1	33.04	14.28	12.60	10.62	70.54	50	35.27	96	33.86
19. Cincinnati, Ohio	409,333	884,789,400	68	32	Jan. 1	Dec. 20, '24 June 20, '25	8.42	6.59	3.65	.26	18.92	100	18.92	90	17.03
20. Kansas City, Mo.[13]	367,481	471,144,170	65	35	Apr. 18	June 1	12.50	11.50	4.30	1.00	29.30	100	29.30	74	21.68
21. Indianapolis, Ind.[14]	358,819	636,944,620	69	31	Jan. 1	May 1 Nov. 1	11.00	9.35	2.65	2.80	25.80	100	25.80	85	21.93
22. Rochester, N. Y.	316,786	471,478,774	100	..	Jan. 1	May 1	13.38	15.26	3.85	1.69	34.18	100	34.18	80	27.34
23. Jersey City, N. J.[15]	315,280	516,909,606	90	10	Jan. 1	Apr. 1 Dec. 1	22.23	....	7.34	4.78	34.35	100	34.35	100	34.35

Group III Population 100,000 to 300,000														
24. Toledo, Ohio[16]	287,380	541,335,720	70	30	Jan. 1	Dec. 20, '24 June 20	9.46	8.06	3.22	.26	21.00	100	21.00	75	15.75
25. Portland, Oregon[17]	282,383	309,470,855	82	18	Dec. 1, '24	Apr. 5, '25 Oct. 5, '25	17.20	10.60	7.60	5.60	41.00	100	41.00	60	24.60
26. Denver, Colo.	280,911	400,460,690	67	33	Jan. 1	Jan. 1	10.02	11.98	4.20	3.70	29.90	100	29.90	80	23.92
27. Columbus, Ohio	279,836	568,731,900	73	27	Jan. 1	Jan. 20 June 20	6.70	5.64	5.05	2.91	20.30	100	20.30	80	16.24
28. Providence, R. I.[18]	267,918	426,473,250	77	23	Oct. 1, '24	Oct. 1, '24	15.16	6.37	....	1.47	23.00	100	23.00	67	15.33
29. Louisville, Ky.[19]	259,259	350,000,000	72	28	Sept. 1, '24	Jan. 20, '25	14.30	6.20	4.00	5.00	29.50	100	29.50	90	26.55
30. Oakland, Calif.[20]	253,700	229,843,020	60	40	July 1	July 1	24.60	19.20	10.00	....	53.80	100	53.80	55	29.59
31. St. Paul, Minn.[21]	246,001	171,160,937	72	28	Jan. 1	May 31 Oct. 31	30.10	16.73	15.34	5.73	67.90	38	25.80	80	20.64
32. Atlanta, Ga.[22]	224,300	359,683,780	73	27	Jan. 1	May 1 Oct. 15	8.40	6.60	11.00	5.00	31.00	100	31.00	55	17.05
33. Omaha, Nebr.	211,786	337,171,702	87	13	Jan. 1	May 1	9.80	12.00	3.30	2.35	27.45	100	27.45	80	21.96
34. Akron, Ohio	208,435	318,361,150	65	35	Jan. 1	Dec. 20, '24	8.86	10.74	4.14	.26	24.00	100	24.00	70	16.80
35. Birmingham, Ala	205,670	178,202,425	81	19	Oct. 1, '24	Oct. 1, '24	11.50	6.50	11.50	6.50	36.00	60	21.60	67	14.40
36. San Antonio, Texas	198,069	188,202,180	75	25	June 1, '24	Apr. 1, '24	17.20	8.50	8.00	8.00	41.70	50	20.85	75	18.77
37. Dallas, Texas	194,450	224,517,275	65	35	Jan. 1	Sept. 1	15.08	9.62	7.60	7.70	40.00	50	20.00	67	13.33
38. Worcester, Mass.	192,242	287,022,550	85	15	Dec. 1, '24	Oct. 10, '24	18.35	8.25	1.25	1.55	29.40	100	29.40	85	24.99
39. Richmond, Va.	186,403	303,809,569	63	37	Feb. 1	June 1 Dec. 1	13.50	7.50	....	2.50	23.50	100	23.50	67	15.67
40. Syracuse, N. Y.	182,003	261,603,558	99	1	Jan. 1	June 1	16.03	9.82	8.24	....	34.09	100	34.09	70	23.86
41. New Haven, Conn.	178,927	290,741,513	85	15	Jan. 1	Mar. 1 Sept. 1	14.00	10.00	.35	.65	25.00	100	25.00	100	25.00
43. Dayton, Ohio	172,942	326,731,830	75	25	Jan. 1	Dec. 20, '24 June '25	9.24	5.34	3.31	2.91	20.80	100	20.80	80	16.64
44. Houston, Texas	164,954	214,000,000	85	15	Jan. 1	July 1	18.75	10.00	....	16.40	45.15	50	22.58	50	11.29
45. Norfolk, Va.[15]	161,000	194,723,925	75	25	Jan. 1, '24	Nov. '24	27.50	....	....	2.50	30.00	100	30.00	67	20.10
46. Hartford, Conn.[23]	160,197	303,120,279	90	10	Apr. 1	July 1	13.83	5.79	.35	.82	20.79	100	20.79	80	16.63
47. Youngstown, Ohio	159,970	348,058,310	71	29	Jan. 1	June 1 Nov. 1	7.30	9.95	2.99	.26	20.50	100	20.50	70	14.35
48. Bridgeport, Conn.	155,000	257,173,589	78	22	Apr. 1	Apr. 1 Sept. 1	19.19	6.98	.36	.87	27.40	100	27.40	100	27.40
49. Fort Worth, Texas	154,847	152,431,000	75	25	Oct. 1, '24	Oct. 1, '24	15.40	10.00	9.00	7.70	42.10	50	21.05	80	16.84
50. Grand Rapids, Mich.	153,698	231,273,164	70	30	Apr. 1	July 1 Dec. 1	10.93	13.03	3.10	2.47	29.53	100	29.53	80	23.62
51. Des Moines, Iowa	149,183	188,023,860	75	25	Apr. 1	Apr. Sept.	12.97	15.81	6.72	2.50	38.00	100	38.00	75	28.50
52. Scranton, Pa.[7]	142,266	146,826,250	100	..	Jan. 1	Jan. 1	21.00	18.00	6.00	....	45.00	100	45.00	75	33.75
53. Springfield, Mass.	142,224	261,621,050	87	13	Dec. 1, '23	Oct. 15, '24	18.30	11.70	.93	1.57	32.50	100	32.50	100	32.50
54. Paterson, N. J.	141,695	190,304,005	80	20	June 1	June 1 Dec. 1	26.58	2.68	3.80	2.16	35.22	100	35.22	75	26.42
55. Nashville, Tenn.	136,220	149,664,260	75	25	Jan. 1	Aug. 1	15.90	1.60	9.50	....	27.00	100	27.00	75	20.25
56. Oklahoma City, Okla.	135,000	116,735,146	80	20	July 1, '24	Jan. 15, '25	15.03	15.52	9.70	2.50	42.75	100	42.75	45	19.28
58. Salt Lake City, Utah	130,943	186,763,676	79	21	Jan. 1	July 15	11.30	13.60	5.00	2.40	32.30	100	32.30	100	32.30
59. Flint, Mich.	130,316	159,390,520	77	23	Mar. 1	July 1 Dec. 1	13.53	13.29	5.52	2.46	34.80	100	34.80	70	24.36
60. Fall River, Mass.	129,662	206,542,250	60	40	Jan. 1	Jan. 1	17.07	7.67	.88	1.98	27.60	100	27.60	100	27.60
61. Camden, N. J.	128,642	165,642,342	84	16	Jan. 1	Apr. 1 Dec. 1	10.87	10.94	4.09	2.10	28.00	100	28.00	80	22.40
63. Kansas City, Kan.	123,743	131,126,187	79	21	Jan. 1, '25	Nov. 1, '24	11.90	16.00	4.50	2.30	34.70	100	34.70	50	17.35
64. Wilmington, Del.	122,049	120,517,425	100	..	July 1	July 1	15.60	3.40	7.60	2.50	29.10	100	29.10	100	29.10

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COMPARATIVE TAX RATES FOR 215 CITIES OVER 30,000 FOR 1925—*Continued*

	Census July 1, 1925	Assessed valuation	Per cent		Fiscal year begins	Date of collection of taxes	Tax rate per $1,000 of assessed valuation					Legal basis of assessment (per cent)	Adjusted tax rate to uniform 100% basis of assessment	Estimated ratio of assessed value to legal basis (per cent)	Final readjusted tax rate
			Realty	Personalty			City	School	County	State	Total				
65. New Bedford, Mass.	120,494	$217,527,400	60	40	Dec. 1, '24	Oct. 15, '24	$17.61	$6.30	$0.90	$1.59	$26.40	100	$26.40	100	$26.40
66. Cambridge, Mass.	120,053	158,452,100	87	13	Apr. 1, '24	Oct. 15, '24	19.37	8.79	1.40	3.74	33.30	100	33.30	100	33.30
67. Erie, Pa.	120,000	129,734,241	96	4	Jan. 5	Mar. 1	12.20	14.00	7.00	....	33.20	100	33.20	80	26.56
68. Albany, N. Y.	117,820	164,421,704	93	7	Jan. 1	Jan. 1	20.75	6.43	4.90	1.42	33.50	100	33.50	79	26.47
69. Yonkers, N. Y.	113,647	227,065,707	99	1	Jan. 1	Mar. 10	13.01	11.28	3.79	1.42	29.50	100	29.50	87	25.67
70. Reading, Pa.	112,707	106,000,000	100	..	Jan. 1	Mar. 1	13.00	13.00	4.00	....	30.00	100	30.00	50	15.00
71. Lowell, Mass.	110,542	140,446,920	74	26	Jan. 1, '24	Oct. 15, '24	19.19	7.07	1.37	1.77	29.40	100	29.40	100	29.40
72. Duluth, Minn.	110,502	79,996,836	73	27	Jan. 1	Jan. 1	23.66	27.20	10.61	5.73	67.20	38	25.54	80	20.43
73. Spokane, Wash.	108,897	86,549,924	75	25	Jan. 1	May 31 Nov. 30	18.00	14.20	11.74	11.66	55.60	50	27.80	84	23.35
74. Elizabeth, N. J.	107,000	125,617,596	86	14	Jan. 1	June 1 Dec. 1	15.06	9.25	4.77	3.72	32.80	100	32.80	100	32.80
75. Canton, Ohio	106,260	159,852,700	63	37	Jan. 1	Dec. '24 June '25	8.64	12.15	3.75	.26	24.80	100	24.80	60	14.88
76. San Diego, Calif.	106,047	121,537,414	86	14	Jan. 1	June 1	21.00	.....	25.30	....	46.30	100	46.30	50	23.15
77. El Paso, Texas	104,929	101,658,870	80	20	Mar. 1, '24	Jan. 1, '25	26.60	.....	9.40	7.50	43.50	50	21.75	100	21.75
78. Tacoma, Wash.[24]	104,455	60,070,347	77	23	Jan. 1	Feb. 1	26.73	14.50	20.58	10.35	72.16	50	36.08	100	36.08
79. Lynn, Mass.	103,147	115,891,075	85	15	Jan. 1, '24	Oct. 15, '24	18.11	9.47	1.60	2.62	31.80	100	31.80	100	31.80
80. Utica, N. Y.	101,604	120,382,758	100	..	Jan. 1	Aug. 1	17.10	7.87	4.97	1.83	31.77	100	31.77	68	21.60
Group IV Population 50,000 to 100,000															
81. Somerville, Mass.	99,206	99,311,000	91	9	Jan. 1, '24	Oct. 15, '24	16.90	7.59	1.00	3.21	28.70	100	28.70	100	28.70
82. Fort Wayne, Ind.	97,846	200,211,100	73	27	Jan. 1	May 4 Nov. 2	6.14	9.00	3.26	2.80	21.20	100	21.20	75	15.90
83. Knoxville, Tenn.	95,464	103,340,465	80	20	Oct. 1, '24	July 1, '25	24.40	....	10.70	....	35.10	100	35.10	65	22.82
84. Jacksonville, Fla.	95,450	75,781,580	82	18	Jan. 1	Dec. 1	21.90	22.50	19.50	10.50	74.40	50	37.20	80	29.76
85. Lawrence, Mass	95,136	129,176,058	73	27	Jan. 1, '24	Oct. 1, '24	14.42	8.90	2.29	2.39	28.00	100	28.00	100	28.00
87. Evansville, Ind	93,601	129,000,000	80	20	Jan. 1	May 1 Nov. 1	12.80	9.10	2.70	2.80	27.40	100	27.40	100	27.40
88. Savannah, Ga	93,134	74,262,245	70	30	Jan. 1	Apr. 1 Oct. 1	19.00	5.00	12.50	5.00	41.50	100	41.50	60	24.90
89. Schenectady, N. Y.	92,786	177,184,503	100	..	Jan. 1	May 1	11.87	9.79	5.58	2.84	30.08	100	30.08	93	27.97
90. Allentown, Pa	92,151	72,629,654	100	..	Jan. 1	June 1	11.25	15.00	3.00	....	29.25	100	29.25	80	23.40
91. Waterbury, Conn	91,715	153,730,310	78	22	Jan. 1	May 1 Nov. 1	32.40	....	....	....	32.40	100	32.40	80	25.92
92. Long Beach, Calif.	91,182	164,700,910	87	13	July 1, '24	Oct. 12, '24	14.00	15.20	7.50	....	36.70	100	36.70	50	18.35
94. Harrisburg, Pa	83,422	81,838,115	100	..	Jan. 5	Mar. 1 July 1	13.00	18.50	6.00	....	37.50	100	37.50	60	22.50
95. Manchester, N. H.	83,097	118,869,769	62	38	Apr. 1	Apr. 1	15.43	6.87	2.63	3.57	28.50	100	28.50	100	28.50
96. Hamtramck, Mich	81,731	111,444,152	65	35	July 1	July 15	12.25	8.50	2.43	2.02	25.20	100	25.20	75	18.90
97. Peoria, Ill.	81,564	41,761,540	69	31	Jan. 1	Jan. 1	29.10	27.50	8.50	6.50	71.60	50	35.80	100	35.80
98. South Bend, Ind.	80,091	166,897,350	67	33	Jan. 1	May 4 Nov. 2	7.70	10.30	4.20	2.80	25.00	100	25.00	70	17.50

99. St. Joseph, Mo.	78,342	79,280,000	64	36	Apr. 20	May 5	12.50	12.25	7.85	1.10	33.70	100	33.70	60	20.22
100. Wilkes-Barre, Pa.	77,642	105,000,000	96	4	Jan. 2	Apr. 1	13.00	14.00	5.80	....	32.80	100	32.80	60	19.68
101. Gary, Ind.	76,870	139,244,070	65	35	Jan. 1	May 1 Nov. 1	10.45	13.20	5.40	2.80	31.85	100	31.85	60	19.11
102. Rockford, Ill.	76,462	44,017,500	66	34	Jan. 1, '24	Jan. 1, '25	26.50	27.40	11.70	6.50	72.10	50	36.05	50	18.03
104. Little Rock, Ark.	74,216	58,714,847	70	30	Jan. 1	Jan. 1	5.17	12.00	8.50	8.70	34.37	50	17.19	60	10.32
105. Charleston, S. C.	73,125	25,165,097	69	31	Jan. 1, '24	Oct. 1, '24	45.00	14.75	33.00	6.00	98.75	42	41.48	75	31.10
106. Highland Park, Mich.	72,289	197,923,950	46	54	July 1	July 1 Dec. 1	9.40	7.60	3.00	1.54	21.54	100	21.54	80	17.23
107. Sacramento, Calif.	72,260	91,844,290	86	14	Jan. 1	Oct. 20, '24 Jan. 20, '25	17.40	20.37	13.63	....	51.40	100	51.40	72	37.01
109. Wichita, Kan.	72,217	116,382,875	79	21	Jan. 1, '24	Nov. 1, '24	8.50	14.00	3.49	2.31	28.30	100	28.30	70	19.81
110. Saginaw, Mich.	72,100	88,571,102	77	23	July 1	July 1 Dec. 1	14.86	11.44	4.91	2.21	33.42	100	33.42	80	26.74
111. Binghamton, N. Y.	71,915	104,501,192	93	7	Jan. 1	Jan. 1 July 1	17.04	8.14	5.50	....	30.68	100	30.68	75	23.01
112. Johnstown, Pa.	71,475	80,223,000	93	7	Jan. 1	Mar. 1 July 1	13.90	14.50	6.00	....	34.40	100	34.40	80	27.52
113. East St. Louis, Ill.	71,423	108,625,055	80	20	Jan. 1	Mar. 1	43.30	33.00	7.50	6.50	90.30	50	45.15	100	45.15
115. Terre Haute, Ind.	71,071	91,000,000	75	25	Jan. 1	May 1 Nov. 1	10.20	14.30	7.95	2.80	35.25	100	35.25	75	26.44
116. Lansing, Mich.	70,753	143,711,190	75	25	May 1	July 1 Dec. 1	11.34	9.89	3.15	2.07	26.45	100	26.45	80	21.16
118. Winston-Salem, N. C.	69,031	130,000,000	45	55	June 1	Mar. 1	7.00	4.00	5.50	....	16.50	100	16.50	75	12.38
119. Passaic, N. J.	68,979	94,819,550	78	22	Jan. 1	June 1 Dec. 1	26.35	....	3.77	4.78	34.90	100	34.90	100	34.90
120. Springfield, Ohio	68,725	95,477,460	66	34	Jan. 1	Dec. 20, '24 June 20, '25	6.70	10.85	3.89	.26	21.70	100	21.70	66	14.32
121. Chester, Pa.	68,507	63,898,005	100	..	Jan. 5	Jan. 5	9.00	12.00	4.00	....	25.00	100	25.00	70	17.50
122. Hoboken, N. J.	68,166	95,595,194	91	9	Jan. 1	Apr. 1 Dec. 1	23.65	11.44	7.52	4.89	47.50	100	47.50	75	35.63
123. New Britain, Conn.	68,039	98,188,515	73	27	Apr. 1	July 1	12.03	10.68	.25	.79	23.75	100	23.75	84	19.90
124. Racine, Wis.	67,707	83,609,400	79	21	Jan. 1	Jan. 1	8.50	9.18	4.57	1.48	23.73	100	23.73	74	17.49
126. Berkeley, Calif.	66,209	73,196,075	93	7	July 1, '24	Oct. 20, '24	12.30	3.50	30.80	....	46.40	100	46.40	60	27.84
127. Altoona, Pa.	66,148	65,004,837	100	..	Jan. 5	Mar. 1	7.50	12.00	7.50	....	27.00	100	27.00	60	16.20
129. Brockton, Mass.	65,731	68,216,200	83	17	Dec. 1, '24	Oct. 15, '24	26.95	9.71	1.71	1.43	39.80	100	39.80	80	31.84
130. Springfield, Ill.	63,923	29,531,565	71	29	Mar. 1, '24	Jan. 1, '25	33.40	31.00	7.60	7.60	79.60	50	39.80	50	19.90
131. Huntington, W. Va.	63,485	123,990,865	80	20	June 30, '24	Nov. 1, '24	5.00	10.00	3.30	1.40	19.70	100	19.70	80	15.76
133. Bethlehem, Pa.	62,828	63,578,758	95	5	Jan. 1	Mar. 1 July 1	11.50	13.00	5.00	....	29.50	100	29.50	75	22.13
134. Cicero, Ill.	62,238	13,003,535	68	32	Jan. 1	Mar. 1	53.40	29.30	5.80	6.50	95.00	50	47.50	60	28.50
135. Lincoln, Nebr.	60,941	102,151,750	76	24	Sept. 1, '24	Oct. 1, '24	7.75	15.00	1.33	2.35	26.43	100	26.43	80	21.14
136. Holyoke, Mass.	60,892	116,077,260	78	22	Dec. 1, '24	Sept. 25, '25	15.48	4.37	1.34	1.81	23.00	100	23.00	100	23.00
137. Quincy, Mass.	60,131	93,553,975	87	13	Jan. 1, '24	Oct. 15, '24	16.74	7.02	1.08	2.16	27.00	100	27.00	100	27.00
138. East Orange, N. J.	59,967	95,518,970	88	12	Jan. 1	June 1 Dec. 1	14.87	11.45	5.46	1.12	32.90	100	32.90	65	21.39
139. Portsmouth, Va.	59,029	42,790,359	83	17	Jan. 1, '24	Dec. '24	11.00	10.00	....	2.50	23.50	100	23.50	70	16.45
140. Fresno, Calif.	58,485	46,684,609	78	22	July 1, '24	Oct. 19, '24	21.55	8.90	33.40	....	63.85	100	63.85	50	31.92
142. Macon, Ga.[25]	58,237	46,891,429	79	21	Jan. 1	Apr. 15 Aug. 15 Dec. 15	15.00	....	18.00	5.00	38.00	100	38.00	60	22.80
143. Roanoke, Va.	58,203	67,910,580	70	30	Jan. 1, '24	Nov. 1, '24	22.50	....	....	2.50	25.00	100	25.00	50	12.50
144. Wichita Falls, Texas	58,026	34,097,170	71	29	Apr. 1, '24	Oct. 1, '24	24.00	10.00	7.50	7.50	49.00	50	24.50	80	19.60
146. Shreveport, La.	57,857	102,000,000	60	40	Jan. 1, '24	Dec. 1, '24	10.50	6.00	6.50	5.25	28.25	100	28.25	50	14.15

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COMPARATIVE TAX RATES FOR 215 CITIES OVER 30,000 FOR 1925—*Continued*

	Census July 1, 1925	Assessed valuation	Per cent		Fiscal year begins	Date of collection of taxes	Tax rate per $1,000 of assessed valuation					Legal basis of assessment (per cent)	Adjusted tax rate to uniform 100% basis of assessment	Estimated ratio of assessed value to legal basis (per cent)	Final readjusted tax rate
			Realty	Personalty			City	School	County	State	Total				
147. Niagara Falls, N. Y.	57,033	$113,661,150	100	..	Jan. 1	Nov. 1, '24	$10.23	$10.30	$5.84	....	$26.37	100	$26.37	100	$26.37
148. Lakewood, Ohio	56,774	139,528,790	88	12	Jan. 1, '24	Dec. 1, '24	6.77	8.67	2.91	$2.25	20.60	100	20.60	100	20.60
149. Pasadena, Calif.	56,732	145,656,910	78	22	July 1, '24	Oct. 8, '24	12.80	20.90	7.50	....	41.20	100	41.20	58	23.80
151. Wheeling, W. Va.	56,208	114,023,688	73	27	July 1, '24	Nov. 1, '24	7.56	9.50	5.00	1.40	23.46	100	23.46	70	16.42
152. Topeka, Kan.	55,411	79,338,194	89	11	Jan. 1, '24	June 20, '25 Dec. 20, '24	10.87	12.55	4.57	2.31	30.30	100	30.30	80	24.24
153. Augusta, Ga.	55,245	50,839,494	64	36	Jan. 1	Apr. 1 July 1 Oct. 1	18.00	13.00	8.00	5.00	44.00	100	44.00	50	22.00
154. Kalamazoo, Mich.	53,613	73,653,845	72	28	Jan. 1	July 1	12.00	13.27	5.01	2.40	32.68	100	32.68	80	26.14
157. Atlantic City, N. J.	53,287	208,887,104	95	5	Jan. 1	June 1 Dec. 1	16.01	4.51	8.97	2.11	31.60	100	31.60	100	31.60
158. Davenport, Iowa	52,241	65,830,900	83	17	Apr. 1	Sept. 1	27.00	30.19	13.56	5.75	76.50	50	38.25	65	24.96
159. Malden, Mass.	51,789	56,009,950	85	15	Jan. 1, '24	Oct. 15, '24	18.83	10.57	1.23	4.37	35.00	100	35.00	100	35.00
160. Oak Park, Ill.	51,423	19,049,150	87	13	May 1, '24	Jan. 1, '25	37.70	66.70	5.80	6.50	116.70	50	58.35	50	29.18
161. Kenosha, Wis.	50,891	58,156,540	73	27	Jan. 1	Jan. 1	14.10	11.79	3.72	1.39	31.00	100	31.00	65	20.15
162. Beaumont, Texas	50,615	49,926,080	79	21	July 1, '24	Nov. 1, '24	14.80	8.80	9.60	7.50	40.70	100	40.70	75	30.53
165. Decatur, Ill.	50,359	19,104,000	74	26	May 1, '24	Jan. 1, '25	42.70	38.50	6.70	6.50	94.40	50	47.70	67	31.80
Group V Population 30,000 to 50,000															
168. McKeesport, Pa.	49,097	42,690,190	100	..	Jan. 1	Mar. 1 July 1	11.50	16.50	7.63	....	35.63	100	35.63	75	26.72
169. Haverhill, Mass.	49,084	65,069,740	84	16	Jan. 1, '24	Sept. 15, '24	18.68	7.83	1.26	1.43	29.20	100	29.20	100	29.20
170. York, Pa.	49,074	47,250,835	96	4	Jan. 1	June 1	10.00	14.00	8.00	....	32.00	100	32.00	60	19.20
171. Charleston, W. Va.	49,019	105,675,738	82	18	July 1, '24	Oct. 15, '24 Apr. 15, '25	6.15	10.80	4.30	1.40	22.65	100	22.65	70	15.86
172. Bay City, Mich.	48,907	47,934,246	78	22	July 1	Aug. 1 Dec. 1	14.57	14.14	5.33	2.03	36.07	100	36.07	100	36.07
173. Galveston, Texas	48,375	56,271,065	75	25	July 1	Sept. 1	17.30	4.00	....	....	21.30	100	21.30	75	15.98
174. Elmira, N. Y.	48,359	44,678,695	95	5	July 1	July 1	15.95	12.88	9.94	....	38.77	100	38.77	80	31.02
175. Medford, Mass.	47,627	59,441,500	92	8	Jan. 1, '24	Nov. 1, '24	22.10	8.30	.70	2.10	33.20	100	33.20	90	29.88
176. Chelsea, Mass.	47,505	51,788,300	85	15	Jan. 1, '24	Oct. 15, '24	22.06	9.47	....	2.67	34.20	100	34.20	100	34.20
177. Pontiac, Mich.	47,455	46,714,609	76	24	Jan. 1	July 1	20.29	17.43	5.31	2.70	45.73	100	45.73	75	34.30
178. Stockton, Calif.	47,287	62,141,874	85	15	Jan. 1	Feb. 9	15.00	13.50	21.00	....	39.50	100	39.50	70	27.65
179. Pittsfield, Mass.	47,241	46,041,690	84	16	Jan. 1, '24	Oct. 15, '24	18.79	7.49	2.04	1.88	30.20	100	30.20	80	24.16
181. Newport News, Va.	47,083	44,355,710	74	26	Jan. 1, '24	Nov. 30, '24	13.60	9.50	....	2.50	25.60	100	25.60	60	15.36
182. Lexington, Ky.	46,895	47,271,990	82	18	Jan. 1	June 1 Oct. 1	15.43	8.37	8.00	....	31.80	100	31.80	50	15.90
183. Lima, Ohio	46,717	82,694,810	78	22	Jan. 1	Dec. '24 June '25	7.50	11.03	5.81	.26	24.60	100	24.60	80	19.68
187. Cedar Rapids, Iowa	45,556	58,354,064	84	16	Apr. 1, '24	Jan. 1, '25	11.50	21.75	6.13	2.87	42.25	100	42.25	60	25.35
188. Columbus, Ga.	44,244	44,909,483	70	30	Jan. 1	Aug. 1	12.00	6.00	8.00	5.00	31.00	100	31.00	54	16.65
189. New Rochelle, N. Y.	44,222	113,310,034	99	1	Jan. 1	Apr. 11	15.96	7.57	3.24	1.43	28.20	100	28.20	100	28.20
190. Fitchburg, Mass.	44,034	59,498,825	73	27	Dec. 1, '24	Sept. 15, '25	16.66	9.27	1.29	1.98	29.20	100	29.20	90	26.28

191. Waco, Texas	43,912	58,000,000	72	28	Oct. 1, '24	Oct. 11, '24	16.40	6.50	5.60	7.70	36.20	100	36.20	60	21.72
192. Evanston, Ill.	43,883	25,727,718	79	21	Jan. 1	Jan. 1	36.60	59.30	5.80	6.50	108.20	50	54.10	50	27.05
193. Pueblo, Colo	43,787	35,246,145	72	28	Jan. 1	Jan. 1 July 1	23.50	14.60	9.50	3.70	51.30	100	51.30	95	48.74
195. Jamestown, N. Y.	43,414	31,899,374	100	..	Mar. 1	June 1	16.80	23.23	8.03	2.33	50.39	100	50.39	60	30.23
196. Muskegon, Mich.	43,088	55,248,305	77	23	Jan. 1, '25	Dec. 1, '24	14.30	11.23	7.55	2.06	35.14	100	35.14	90	31.63
198. Salem, Mass	42,821	52,391,680	80	20	Apr. 1, '24	Oct. 15, '24	20.15	9.85	1.62	1.88	33.50	100	33.50	100	33.50
200. Brookline, Mass	42,633	127,427,100	87	13	Jan. 1, '24	Oct. 15, '24	10.93	4.78	1.36	2.93	20.00	100	20.00	100	20.00
201. Muncie, Ind.	42,491	60,420,840	57	43	Jan. 1	May 1 Nov. 1	20.40	....	3.40	2.80	26.60	100	26.60	100	26.60
203. Battle Creek, Mich	42,338	54,785,990	74	26	July 1	July 13	10.00	14.20	4.50	2.81	31.51	100	31.51	75	23.63
204. Loraine, Ohio	42,259	59,961,145	70	30	Jan. 1	Dec. 20, '24 June 20	10.87	9.05	2.97	2.91	25.80	100	25.80	50	12.90
205. Springfield, Mo.	42,140	38,958,832	69	31	July 1	Sept. 1	9.50	11.50	5.30	1.00	27.30	100	27.30	70	19.11
207. Chicopee, Mass	41,888	47,926,760	75	25	Dec. 1, '23	Oct. 15, '24	15.78	9.94	1.00	1.78	28.50	100	28.50	100	28.50
208. Columbia, S. C.	41,225	18,556,865	60	40	Jan. 1, '24	Oct. 15, '24	26.00	....	40.50	6.00	72.50	42	30.45	60	18.27
210. Joliet, Ill.	40,578	12,833,401	76	24	Jan. 1	Feb. 1	33.80	55.00	7.50	6.50	102.80	50	51.40	50	25.70
211. Aurora, Ill.	40,254	17,147,990	70	30	Jan. 1	Mar. 1	30.90	30.70	10.00	6.50	78.10	50	39.05	40	15.62
212. Rock Island, Ill.	40,073	11,838,959	70	30	Apr. 1	Feb. 1	25.70	40.00	12.00	6.50	84.20	50	42.10	60	25.26
213. Dubuque, Iowa	40,000	43,605,848	75	25	Apr. 1	Jan. 1	14.13	14.25	6.25	2.87	37.50	100	37.50	75	28.13
214. Superior, Wis.	39,671	46,031,803	80	20	Jan. 1	Dec. 15, '24	7.38	13.01	10.65	1.36	32.40	100	32.40	81	26.24
215. Taunton, Mass.	39,286	39,833,210	77	23	Dec. 1, '24	Oct. 15, '24	18.56	7.24	.96	1.84	28.60	100	28.60	100	28.60
217. New Brunswick, N. J.	37,984	34,538,425	88	12	Jan. 1	June 1 Dec. 1	18.30	12.90	9.60	4.80	45.60	100	45.60	60	27.36
220. Wilmington, N. C.	37,061	43,599,119	90	10	June 1, '24	Oct. 1, '24	10.00	7.21	5.29	....	22.50	100	22.50	85	19.13
221. Danville, Ill.	37,021	13,306,065	66	34	May 1, '24	Jan. 1, '25	29.10	31.70	7.30	6.50	74.60	50	37.30	65	24.25
222. Ogden, Utah	36,869	38,764,505	67	33	Jan. 1, '24	Oct. '24	11.00	15.90	5.33	3.07	35.30	100	35.30	75	26.48
226. Auburn, N. Y.	36,192	27,943,612	100	..	July 1	July 1	17.48	11.25	11.81	....	40.54	100	40.54	70	28.38
228. Hazleton, Pa.	36,143	27,008,427	93	7	Jan. 5	Apr. 1	11.00	20.00	13.01	....	44.01	100	44.01	60	26.41
229. Petersburg, Va.	35,712	41,127,785	61	39	July 1	July 1	15.00	5.00	....	2.50	22.50	100	22.50	71	15.98
230. Poughkeepsie, N. Y.	35,670	43,414,074	100	..	Jan. 1	Feb. 15 Aug. 15	18.20	9.45	7.31	....	34.96	100	34.96	80	27.97
231. Orange, N. J.	35,379	33,682,416	90	10	Jan. 1	June 1 Dec. 1	19.81	11.82	5.40	4.77	41.80	100	41.80	80	33.44
232. Amsterdam, N. Y.	35,260	30,278,250	100	..	Jan. 1	Aug. 1	10.69	19.78	10.62	....	41.09	100	41.09	60	24.65
233. Lewiston, Me.	34,932	31,897,709	80	20	Mar. 1	Aug. 20	18.00	5.00	2.00	7.00	32.00	100	32.00	67	21.33
236. Green Bay, Wis.	34,290	47,725,000	76	24	Jan. 1	Mar. 1 Dec. 15	12.65	9.28	7.07	....	29.00	100	29.00	100	29.00
237. Moline, Ill.	33,910	12,030,106	68	32	Apr. 1, '24	Feb. '25	29.10	40.00	12.00	6.50	87.60	50	43.80	50	21.90
238. Sheboygan, Wis.	33,535	39,943,139	67	33	Jan. 1	Jan. 1	15.81	12.76	4.55	1.30	34.42	100	34.42	100	34.42
240. Watertown, N. Y.	32,836	43,916,990	99	1	July 1	July 1	15.40	10.60	7.51	1.69	35.20	100	35.20	87	30.62
241. Muskogee, Okla.	32,175	31,124,616	80	20	July 1	June 1 Nov. 1	15.61	15.10	8.95	2.50	42.16	100	42.16	60	25.30
242. LaCrosse, Wis.	30,421	41,888,883	69	31	Jan. 1, '25	Dec. 1, '24	15.76	8.40	4.81	1.03	30.00	100	30.00	80	24.00
243. Newburgh, N. Y.	30,419	29,519,390	100	..	Jan. 1	Jan. 1	23.20	....	8.70	....	31.90	100	31.90	80	25.52
244. Lynchburg, Va.	30,395	31,766,613	92	8	Feb. 1	Aug. 20	11.00	10.00	....	2.50	23.50	100	23.50	50	11.75
245. Colorado Springs, Colo.	30,105	39,798,800	83	17	Jan. 1	Jan. 1 July 1	14.30	14.55	8.67	3.70	41.22	100	41.22	80	32.98

SEE FOOTNOTES ON PAGE 762

COMPARATIVE TAX RATES FOR 215 CITIES OVER 30,000 FOR 1925—*Continued*

	Census July 1, 1925	Assessed valuation	Per cent		Fiscal year begins	Date of collection of taxes	Tax rate per $1,000 of assessed valuation					Legal basis of assessment (per cent)	Adjusted tax rate to uniform 100% basis of assessment	Estimated ratio of assessed value to legal basis (per cent)	Final readjusted tax rate
			Realty	Personalty			City	School	County	State	Total				
Canadian Cities															
1. Montreal, Que.[26]	864,527	$766,595,616	100	..	Jan. 1	May 1	$14.00	$10.00	....	....	$24.00	100	$24.00	100	$24.00
2. Toronto, Ont.[27]	549,429	809,007,346	100	..	Jan. 1	May 4 July 4 Sept. 4	20.15	9.70	....	....	29.85	100	29.85	75	22.39
3. Winnipeg, Man.[28]	195,148	234,493,510	100	..	Jan. 1	June 15	13.49	12.45	....	$2.56	28.50	80	22.80	100	22.80
4. Vancouver, B. C.[29]	126,747	212,153,265	100	..	Jan. 1	Aug. 4	19.86	8.64	....	....	28.50	100	28.50	82	23.37
5. Hamilton, Ont.[30]	122,495	150,359,880	100	..	Jan. 1	July 1 Sept. 1	20.19	12.31	....	....	32.50	100	32.50	100	32.50
6. Ottawa, Ont.[31]	118,088	141,615,642	85	15	Jan. 1	June 18 Nov. 18	20.80	10.90	....	....	31.70	100	31.70	67	21.13
7. Quebec, Que.[32]	118,000	96,936,377	100	..	May 1, '24	Nov. 1, '24.	19.10	9.50	....	....	28.60	100	28.60	100	28.60
10. Edmonton, Alb.[33]	65,378	59,834,540	100	..	Jan. 1	May 1	24.23	21.77	....	....	46.00	100	46.00	80	36.80
11. St. John, N. B.[34]	60,525	53,300,000	88	12	Jan. 1	July 20	13.70	9.30	$8.00	....	31.00	100	31.00	100	31.00
12. Halifax, N. S.	57,564	57,540,205	100	..	May 1	May 1	20.30	9.60	.90	....	30.80	100	30.80	100	30.80
13. Victoria, B. C.[35]	38,750	56,497,578	100	..	Jan. 1	Aug. 15	29.25	10.05	....	....	39.30	76	29.87	100	29.87

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[1] *New York City.* The assessed valuation given is exclusive of $803,625,400 of dwellings exempted from local taxation until 1932 but assessed for state tax. The official computation gives a single rate; the rate for county purposes is computed as the ratio of county appropriation to total assessed valuation; the rates for city and schools are in proportion to appropriations. In addition to the rate given, levies are made on the several boroughs and city at large for local improvements, ranging from 14 cents to 34 cents. The ratio of assessed to legal basis of value is upon the state equalization of 1924.

[2] *Chicago.* The city rate includes sanitary district, forest preserve district and South Park district rates; the rate given is for South Park district (central business district and greater part of South Side). Rates in other parts of the city are slightly higher because of variations in the park rate.

[3] *Philadelphia.* The city rate includes the cost of county government, which is consolidated with the city. The rates given are on city realty, comprising 95 per cent of all realty; suburban realty (4 per cent of all realty) is taxed at two-thirds, and farm realty (1 per cent) at one-half, of the rate on city realty,—except that property in poor districts (having local poor taxes) is further relieved of such poor levies. There is a 4-mill tax on money at interest and vehicles to hire, comprising the personalty valuation. In all, there are eighteen different total tax rates on real estate, fixed by seven tax-levying bodies. There is no state tax on realty in Pennsylvania.

[4] *Detroit.* The population is as at May 31st, by special census under supervision of the Census Bureau.

[5] *Los Angeles.* The population is a local estimate,—no estimate was made by the Census Bureau. The city rate includes flood control rate of 70 cents. There is no state tax on real estate in California.

[6] *Baltimore.* The city rate includes the county, which is consolidated with the city; also debt service, including school debt. There are several rates applied to nine bases of assessed valuation,—at full rate ($25.80), $751,034,958 (one-third of area of city); at 72 per cent of full rate, $208,350,291; at two-thirds of full rate, $53,843,495; at one-third of full rate, $41,801,595. There are five bases of assessed valuation on bank and trust company shares, securities and deposits, $488,033,912. Personal property of manufacturers is exempt from taxation.

[7] *Pittsburgh, Scranton.* By act of legislature, the city was required to assess a rate upon buildings for 1914 and 1915 equal to 90 per cent of the rate upon land; in 1916, 1917 and 1918, at 80 per cent; and at 10 per cent less each triennial assessment thereafter until 1925, when the tax levied upon buildings equals one-half that upon land. Machinery is exempt from taxation.

[8] *San Francisco.* The city rate includes the county, which is consolidated with the city; also debt service, including school debt.

[9] *Buffalo.* The city rate includes school; the county rate includes state (division not furnished).

[10] *Washington.* Appropriations for the District of Columbia are made by Congress, 60 per cent of the total being raised by taxation, and 40 per cent paid by the Federal Treasury. The rate given is for realty and tangible personalty; intangible personalty, $379,801,289, is taxed one-half of one per cent. Banks, trust companies, and public service corporations are taxed at various rates on earnings or receipts. Details of the total rate were not furnished.

[11] *Minneapolis.* Real estate is assessed at 40 per cent of true value and personalty at 25 per cent to 33⅓ per cent. Money and credits (not included in the valuation) are taxed 3 mills on the dollar. The total rate varies slightly in parts of the city due to varying rates for street maintenance.

[12] *Seattle.* The population is a local estimate,—no estimate was made by the Census Bureau. The city rate includes $1.40 port rate.

[13] *Kansas City.* The valuation given is for city purposes; the valuation for school, county and state purposes is $587,389,777.

[14] *Indianapolis.* The rates given are for Center Township, the city rate including a 45-cent rate for township. There are five tax rates in five townships which comprise the city, four townships (other than Center) lying partially within the city but largely outside.

[15] *Jersey City, Norfolk.* The city rate includes schools.

[16] *Toledo.* The city rate includes 25 cents for university.

[17] *Portland.* The city rate includes $2.30 dock rate and $2.40 port rate.

[18] *Providence.* There is no county government in Rhode Island. In addition to the rates given, $4 per $1,000 is assessed on an intangible valuation of $133,123,820 not included in the valuation given.

[19] *Louisville.* Of the total valuation, $19,000,000 is shares of stock of banks and trust companies, taxed $4 per $1,000 for schools and $2 for city.

[20] *Oakland.* The county rate includes $1.20 utility district.

[21] *St. Paul.* See Note 11. Moneys and credits, $85,858,540, not included in the valuation reported, are taxed $3 per $1,000.

[22] *Atlanta.* The school rate is estimated; schools receive 26 per cent of total city revenues.

[23] *Hartford.* In addition to the tax reported, the city raises, through levy and collection by the state treasurer, a one per cent tax upon a corporation stock valuation of $192,653,059, which is the taxable valuation of the stock of certain corporations held by residents.

[24] *Tacoma.* The city rate includes $1.50 port and $1.50 park.

[25] *Macon.* The county rate includes school.

[26] *Montreal.* The population of the Canadian cities is the local estimates for 1924, usually made by a census department. The school rate given is the Protestant rate, the Catholic rate is $7.00; and the Neutral (comprising business corporations) rate is $12.

[27] *Toronto.* Realty valuation includes 8.7 per cent income and 10.3 per cent business. For school levy, the valuation is increased $62,161,905, the value of dwellings up to $4,000 valuation exempt for general purposes.

[28] *Winnipeg.* Land, valued at $132,997,590, is assessed at 100 per cent; improvements are assessed at 66⅔ per cent; the weighted average being 80 per cent.

[29] *Vancouver.* Land, valued at $126,184,510, is assessed at 100 per cent; improvements are assessed at 50 per cent; the weighted rate being 82 per cent. The actual rate was $31.67, but was reported $28.50 because over 90 per cent was paid before expiration of discount period.

[30] *Hamilton.* Realty valuation includes 6.3 per cent income and 9.1 per cent business.

[31] *Ottawa.* The total rate given is for public (Protestant) school supporters; the rate for Separate schools is $4 higher.

[32] *Quebec.* The city rate includes $5 for water, and 60 cents for local improvement rate.

[33] *Edmonton.* Land, valued at $36,660,080, is assessed at 100 per cent; improvements are assessed at 60 per cent, the weighted rate being 80 per cent. In addition to the rate given, there is a Province supplementary revenue tax of $2 on land only.

[34] *St. John.* Realty valuation includes 31.5 per cent income.

[35] *Victoria.* Population estimate is for 1921. Land, valued at $29,107,858, is assessed at 100 per cent; improvements are assessed at 50 per cent, the weighted average being 76 per cent.

RECENT BOOKS REVIEWED

A REPORT UPON THE ADMINISTRATION OF DELINQUENT PERSONAL TAX COLLECTION IN CUYAHOGA COUNTY, OHIO. Ohio: Municipal Research Bureau of Cleveland, 1925. 77 pp. Mimeographed.

This report was prepared at the request of the auditor of Cuyahoga County and is designed first to describe the present law governing delinquent personal tax collections in that county, the administrative organization and procedure thereunder, and the results achieved; and second to suggest changes in both law and administration with a view to making better results possible. The writer seems to have kept both objects clearly in mind and to have refrained from discursive flights into the tempting field of the shortcomings of the tax on personal property in general.

In spite, however, of the rigidity with which the report adheres to its narrowly limited scope, it contains material of interest not only to the officials at whose request it was made but also to all officials who are confronted by the difficult problems involved in the collection of personal property taxes. Furthermore, it should prove of interest to students of the survey method because of the manner in which it utilizes the poorly organized material at hand in the official records into a substantial fact basis for its conclusions and recommendations. Finally, students of public finance will find in the report new ammunition for use in their attacks on the personal property tax as a whole. No advocate of an adequate budget system, for instance, can fail to be impressed by the fact that a balanced budget is impossible in connection with a tax system which compels financial officers, every half decade or so, to write off as uncollectible an aggregate of delinquent taxes equivalent to one fourth of the amount levied for one year.

PHILIP H. CORNICK.

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MUNICIPAL AID TO MUSIC IN AMERICA. By Kenneth S. Clark. Published by the National Bureau for the Advancement of Music. New York, 1925. Pp. 297.

"Municipal Aid to Music in America" has made its appearance at a strategic time. There is an awakening interest in music as a community activity. There is a growing feeling that music can and should be more widely used as an educational medium, cultural force and recreational activity. With the rapid adoption of music as a part of the community recreation program municipalities are appropriating money for bands, orchestras, choral societies, community singing and concerts. Mr. Clark's book will be an invaluable aid to city officials giving thought to music. It is not a theory of what cities should do, but a report of what cities are doing.

In the preliminary chapters, written in a very readable style, Mr. Clark briefly outlines the growth of the present movement for municipal music, gives a picture of several successful city music departments and at the same time gives valuable suggestions about how other cities may go and do likewise.

The chapter on permissive legislation is a storehouse of information for those who are faced with legal difficulties in securing tax funds for music.

The section giving reports on work done by typical music systems is well selected testimony from local leaders in cities where municipal music is carried on successfully.

The whole book is based upon a study carried on by questionnaire sent out to mayors of cities with a population of 5,000 or more. The replies are listed by states and cities and the reader can readily get the facts about municipal music in any given city reporting.

"Municipal Aid to Music" furnishes facts, ideas and methods about a movement to democratize music in America and should be read by all to whom this idea commends itself.

T. E. RIVERS,
Playground and Recreation
Association of America.

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SOCIAL PROBLEMS OF TODAY. By Grove Samuel Dow and Edgar W. Wesley. New York: Thomas Y. Crowell Co., 1925. Pp. xvi, 337.

A university professor and a high school teacher have co-operated in this book on "human association, its origin, development, forms and functions." It is intended for the last year of the high school and originated out of a feeling that the "problems" books written for that year and containing discussions of economics and government as well as sociology, are not well suited for the purposes in mind. The authors think that sociology alone should be treated in the text; or rather that at least half a year should be given to sociology alone. One of the difficulties with their position is that many insist on including both government and economics in the last year of the high school. Consequently, there being generally only two terms in a year, three subjects are demanding separate recognition when there is place for only two. From the standpoint of those interested primarily in government, this is unfortunate, for it results too often in economics and sociology being placed in the last year of the high school, and in government being tacked on to American history lower down in the system.

This text is conveniently divided into fifteen chapters of something like equal length; and, with a few exceptions, each treats of a separate social problem. Among these are the influence of geographical environment, heredity, increase in population, immigration (in two chapters), migration to the cities, the Negro, the family and divorce, industrial organization, women and children in industry, and poverty. At the end of each chapter is a list of questions to stimulate study, some topics for special reports, and a well-selected bibliography. The book is well illustrated from pictures made by Lewis W. Hine. The meaningless picture of public buildings and public men seems to be absent, its place being taken by pictures of action or of conditions.

Such a book will stir the interest and stimulate the imagination of any well-meaning lay reader and his first disposition is to say, "This ought certainly to be put into the schools." The trained educator is likely to be more cold-blooded about it and to say, "This is interesting to you because you have been observing social problems for many years. You approach the book with a wide experience and some philosophy. To teach it will not, however, be the best means of approach to social progress. It is better to teach the youngsters more definite, constructive things,—such as economics and government. This is pathology and will depress and devitalize the lives of the young citizens." Of these two views no one knows which is true. Each is a subjective impression.

The leading argument for teaching sociology in the schools is based on the supposition that information about the ills of society will result in an effort on the part of the citizen to find means of solving them. In his search for means of solving them, he will study government and his study of it will result in his learnin gthe scientific principles of its organization and reorganization. The answer to this argument is that, as a matter of fact, the results do not follow the causes as the advocates of the teaching of mere problems claim. We have been brought face to face with the problems for generations and those who see them have not made a serious effort to learn the scientific principles of government. The state of New York has confronted its sad lack of administrative organization long enough to provide for scientific reorganization if mere *seeing the problem* would bring support for improvement. It was necessary to go through the back-breaking process of teaching grown people elementary scientific principles even to provide a hope that reorganization may result. The teacher of government claims that the last year of the high school is the place to teach the principles of politics before the mind is hardened into prejudices and superstitions. The citizen will then later be brought clearly enough to see the problems and abuses. When he sees them, he will remember his simple elementary principles of scientific attack on them and will apply these principles. The argument for either position is wholly *a priori* and theoretical. One must take his choice between two theories.

ITEMS ON MUNICIPAL ENGINEERING

BY W. A. BASSETT

Planning of Water and Sewerage Districts.—Sound advice in the matter of planning for water supply or sewerage improvements designed to serve a district rather than a single municipality is contained in the plan recommended by Mr. Clemens Herschel to meet the water supply problems of the New Jersey Metropolitan District. The essential features of the plan as outlined in the *Engineering News-Record* of September 10 are:

> (1) To create a "Metropolitan Water Supply District of the State of New Jersey," to consist "of all municipalities wholly or partly within" 20 miles of a named point on the Jersey City water front, and a commission of "three skilled and competent men," to be appointed by the governor, with the approval of the Senate, the commission to be authorized to supply water at wholesale to municipalities or companies within the district, and to build works, condemn property, buy out companies, etc.; and (2) to have the State of New Jersey, if the people of the state so vote, issue $50,000,000 of state bonds, not over $10,000,000 in any one year, to finance the district water-works, the capital charges and operating expenses to be annually assessed by the state authorities against each community supplied, according to the amount of water it has taken during the year. Existing supply works of communities entering into the new supply scheme would be taken over by the district, with proper compensation. Municipalities within the district would be compelled to take water for domestic purposes from the district unless specifically exempted from doing so by the legislature. No town now supplied by a company owning the distribution system in the town could contract with the district until it had acquired the works of the company.

There is nothing particularly new in this proposal but its soundness cannot be questioned. Moreover, it is equally applicable to either sewerage or water supply projects and does away with the cumbersome conditions which have arisen in connection with the administration of the Passaic Valley Sewer in New Jersey, particularly in the allocation of the cost of that work.

◆

Construction of Philadelphia-Camden Bridge Suspended.—Disagreement over the matter of collecting tolls from traffic that will use the Philadelphia-Camden Bridge will probably result in a suspension of work on that structure upon completion of contracts already awarded. This situation has been brought about as a result of action taken on September 1 by the New Jersey Interstate Bridge and Tunnel Commission refusing to participate further in the authorization of work on that project until the tolls question has been settled and New Jersey's right to collect tolls fully recognized. The latter state favors the collection of tolls to help defray the cost of its two joint undertakings—the Philadelphia-Camden Bridge and the Holland Vehicular Tunnel at New York. The Pennsylvania legislature, however, at its session this year went on record as in favor of a free bridge. This controversy is likely to result in a regrettable delay in the completion of this important project as the Pennsylvania legislature meets biennially which means that further action in the matter will have to be deferred until 1927 unless a special session is called. It would seem that the stand taken by the State of New Jersey in this matter is by all odds the more rational and defensible one. It simply means that the burden of financing this great improvement would be met largely by those receiving the greatest benefit from its consummation, namely, the users, in place of meeting its cost out of general taxation. Certainly no one can question the equity of collecting tolls on a bridge that is bound to carry an extensive through, as well as local, traffic.

◆

State Legislatures as Rate-Makers for Public Utility Enterprises.—Unintelligent state legislation is enacted all too frequently. Fortunately, the public laws of this character are rather more stupid than harmful. However, occasionally a measure is enacted so inimical to the public interest that subsequent legislative action is necessary to correct the mistake made. For that reason it behooves the public always to be on guard in this matter, and the good people of the state of Massachusetts should consider carefully the merits of a bill filed by Representative Martin Hays of Brighton, Massachusetts, for introduction at the next session of the state legislature, entitled: "An act to curtail the powers of the department of public utilities."

This act if passed would make all orders of the state commission in respect of such matters as rates or utility financing, subject to review and approval by both branches of the state legislature. It would be difficult to conceive of a more unwise proposal. As commented on editorially in a recent number of the *Engineering News-Record:*

> The plan proposed is futile and unworkable; it breaks down by its own weight and weakness. Before adopting or rejecting the advice of the commission would each of the scores of members of the two houses review all the evidence in each of 125 or 150 cases acted on yearly by the commission? Otherwise how could the members of the legislature vote intelligently at each of the 125 to 150 roll calls? And if the members of a small body of commissioners, appointed solely to administer the utility laws of the state, may be subject to "skillful manipulation of high-priced attorneys," then how about the members of the legislature? Would the legislature set up and follow standards for capitalization and earnings applicable to the entire state? If not each case would have to be considered by the legislature on its individual merits, which would include traversing all the testimony taken by the commission and possibly the holding of legislative hearings, which would mean confusion worse confounded.

There are still many vexatious problems of public utility regulation remaining to be solved. However, such progress as has been made in these matters during recent years has been due to the intelligent work of the various state public utility commissions. In the event that there is marked public disagreement with the findings of the Massachusetts department of public utilities there is always recourse to adjudication of such matters by the courts. It would seem preferable to trust the judgment of a public service commission on matters relating to the public interest, rather than the collective wisdom of the average state legislature.

◆

Recommended Legislation to Ensure Structural Safety in Building.—Requirements of legislation designed to safeguard building operations and ensure structural safety, while simplifying the governmental problem of controlling these activities are outlined in a report of the Joint Committee on Structural Safety, representing architectural and engineering societies of the New York Metropolitan District. The conclusions of the committee, submitted for consideration and discussion, recommend the preparation of legislation governing the granting of building permits and regulating their use, embodying substantially the following requirements:

I. The owner shall be the applicant for the building or construction permit and shall be required to accompany his application for such a permit with the following:
   1. Adequate plans and specifications prepared and signed by a competent registered architect or a licensed professional engineer experienced in structural design, hereinafter called the designer.
   2. A definite undertaking executed in legal form stipulating that, if the permit is issued to the applicant, he will have all working or shop drawings covering parts and details essential to the stability of the building and required to supplement the plans which accompanied his application, fully checked, approved and signed by the designer; that he will place the execution of the work under the direct supervision and continuous control of the designer; and that he will further undertake, with the coöperation of the designer and by employing only competent contractors and workmen to perform faithfully the work proposed in strict accordance with the plans and specifications, in compliance with all requirements of law, and with due regard to public safety.

II. Before a certificate of occupancy is issued by a bureau of buildings, or by state or local authorities having jurisdiction, the owner shall furnish to such authorities a duly executed certificate, signed by the designer, stating that he has faithfully supervised the entire work of construction, that it has been executed in accordance with the plans, specifications and working drawings duly signed by him, and that to the best of his knowledge and belief the finished work complies with all the requirements of law and is structurally safe for the use specified.

III. Failure on the part of the owner to comply with any of the above specified requirements shall be regarded as presumptive evidence of a violation of law, constituting a penal offense, and shall be punishable as such.

IV. If at any time after the certificate of the designer has been filed, conclusive evidence is furnished to the state licensing authorities that any statement in such certificate was false and intended to deceive, these authorities shall immediately take the necessary legal steps to have the signer put on trial for perjury, shall forthwith have his name stricken from the list of registered architects or licensed professional engineers, and shall give their action effective publicity.

NOTES AND EVENTS

BY A. E. BUCK

The Kansas City Election.—We are informed by Nat Spencer, secretary of the Citizens' League of Kansas City, that former Mayor Albert I. Beach, Republican, has been re-elected over Ben Joudon, Democrat and present city treasurer. The vote was very close; Mayor Beach's majority being only 548. Although party names were not often referred to during the campaign, the keenest kind of partisan spirit was manifest. The opposing parties became known as the "Beach group" and the "Joudon group." The Beach group had the advantage of a fairly successful administration. It appears that this group elected the mayor and four councilmen, while the other group elected five councilmen. The Joudon group, it seems, will have control of the council of nine, although this is not yet certain, since the election of one councilman of this group is being contested by the other group.

It is reported that the newly elected officials are as a whole high-grade citizens, although more or less animated by partisanship. Practically all of them are pledged to give the new charter a full and fair trial. If the campaign pledges are adherred to, it is assumed that the city will have a good council regardless of whether it is dominated by one or the other group.

✣

Westchester and Nassau County Charters Rejected.—The proposed charters for both Westchester and Nassau counties (N. Y.) were rejected at the recent election. The Westchester charter was defeated by only about 5,000 votes, while the Nassau charter was defeated by a 2 to 1 vote. The rejected county charters were drafted by non-partisan commissions and were submitted to the people under an amendment to the state constitution approved in 1921. Both Westchester and Nassau have special problems in county government because of their large populations, their wealth and their proximity to New York City. Many people believe that unless a more efficient government than any which can be expected under the supervisor system is installed the two counties will some day be incorporated in the larger city. But apparently the majority of the voters had grave doubts about the type of government that would result under the proposed charters and refused to vote for them. In Westchester there was a prolonged and heated campaign over the adoption of the proposed charter.

✣

Ohio Amendments Defeated.—On November 3 the voters of Ohio defeated the three proposed amendments to the state constitution. One of these was the debt limitation amendment which sought to write into the constitution the restrictions already imposed under the Griswold law. The amendment embodied two propositions: "No borrowing for current expenses" and "no bonds running longer than the life of the assets acquired." This amendment was criticised as being non-essential under the existing laws.

Another amendment provided for a four-year term of office for elective state and county officials. The main argument for this amendment was that it would enable the administrative officers to become more familiar with their duties and therefore to render better service during at least part of their term. The opposition claimed that a four-year term for the governor and a two-year term for the legislature would increase the probability that the two branches of government would differ politically, with detrimental effect upon legislative action. Governor Donahey vigorously attacked this amendment as an "office grab," engineered by politicians for their own benefit. Generally, the amendment seems to have been regarded as "a makeshift proposition which did not go to the bottom of the difficulties it sought to correct."

The third amendment proposed to remove intangible property from the application of "the uniform rule"; it was generally referred to as the "classification amendment." Since for many years this property had not been reached under the uniform rule, it was proposed to give the legislature power to try other methods. The *Cleveland Plain Dealer*, which supported this amendment, says:

> Nothing is clearer than that modification of the old uniform rule of the 1851 constitution is necessary before anything like a sound program

of tax revision can be undertaken in this state. This archaic rule, designed when Ohio was almost exclusively an agricultural state, completely blocks any program of tax reform.

It is thought that the classification amendment would have been adopted if it had not been for Governor Donahey's hostility to it. It ran strongest of the three submitted. The vote defeating all three of the amendments is interpreted as a repudiation of the Republican assembly which submitted them.

✣

Manager Charter of Boulder, Colo., Sustained.—A recall election was held on the Boulder city manager charter on November 3, which resulted in sustaining the charter by 425 votes. The opponents of the charter cast about 56 votes less than they did at the previous special election, and the proponents of the charter about 1,000 votes less. This was due to the fact that the people did not get out and vote in the election. The fight was mainly on personalities rather than on the charter. Many people lost interest in the election on this account. The Hare system of voting seems to have been one of the main points of attack.

✣

Report on Municipal Policy of Brookline, Mass.—A special committee, constituted early in 1924, has completed and published a report on the municipal policy of the town of Brookline, Mass. This committee consisted of the moderator, the town clerk, the selectmen, and five citizens appointed by the moderator. Special mention is made of the work of Albert F. Bigelow, executive chairman of the committee, in shaping up the final report.

This report is devoted largely to a statistical study of the finances of Brookline. The expenditures of the town are compared with those of other cities and towns in the United States and in Massachusetts. In the country as a whole, Brookline stands second in per capita cost of operating expenses, Atlantic City being first. The report presents a brief analysis of the revenues and expenditures of the town. This is fully supported by statistical tables and charts. Many suggestions are made for increasing the working efficiency and for decreasing the operating costs of the various departments of the town government. The recommendations are summarized in an orderly and clear-cut manner. An interesting résumé of the town's history is given in the early part of the report. From this we note that Brookline is almost three centuries old, having been founded in 1630.

The report is concise and readable. It consists of 59 pages, supported by 57 pages of statistical matter, a total of 116 pages. Municipal research organizations over the country should have a copy of this report in their files for reference. Executive and financial officers of cities comparable in population and conditions to Brookline would do well to study this report.

✣

Prospect Union Educational Exchange.—The Prospect Union Association of Cambridge, Mass., has undertaken the operation of the first known educational clearing house. An office is maintained through which educational advice and vocational guidance are offered to working men and women in Greater Boston. An annual catalog is published in which are listed the evening and part-time courses of a large group of carefully investigated schools. The catalog, just published, lists 2,300 classes and contains 147 pages. It is distributed among educators, teachers, ministers, social workers and other interested individuals, as well as to working men and women directly and through public libraries, factories, stores and offices. It is reported that many thousands of working people have already availed themselves of this service.

The Exchange is now in its third year. It is financed solely by its endowment, no fees being charged for its services. Its prime purpose is to bring each citizen in touch with the educational opportunity that he most needs. The results already attained indicate that it is a success.

✣

City Managers Hold Twelfth Annual Convention.—The city managers of the United States and Canada held their twelfth annual convention at Grand Rapids, Mich., on November 17–19. C. Wellington Koiner, president of the City Managers' Association, included in his annual address a report on a recent tour of European cities. Mr. Koiner attended the third International Congress of Cities which was held at Paris the end of September. Round tables were conducted during two days of the convention on a number of interesting subjects, such as budget control and accounting systems, traffic regulation, problems of the city manager in a small city, employment of outside experts by the city manager, training for the city manager profession, and units costs for measuring the efficiency of city administration. Several topics of interest were discussed at the general sessions. John N. Edy, city manager of Berkeley, Calif., spoke on the managerial functions of the manager. The civil service in manager cities was discussed by H. W. Marsh, secretary of the National Civil Service Reform League. Emily Kneubuhl, director of the City Manager League of Rochester, N. Y., spoke on selling the city manager plan to the people. Samuel C. May of the University of California outlined the progress of administration in European cities. Professor May has recently returned from Europe.

◆

Power Commission of Three States Appointed.—A joint power commission has been appointed by the governors of New York, New Jersey and Pennsylvania to study the transmission and control of electric power in the three states and to report to the three governors. The New York members are: William A. Prendergast of New York, chairman of the public service commission; George R. Lunn, commissioner, of Schenectady; and Charles R. Vanneman of Albany, chief engineer of the commission. The New Jersey governor appointed Charles Browne of Princeton, member of the public utility commission of New Jersey; Isaac Alpern of Perth Amboy, president of the Perth Amboy Trust Company; and Robert F. Ingle of Beach Haven, former member of the state board of commerce and navigation. The Pennsylvania members are: Philip P. Wells, deputy attorney general and chairman of the Pennsylvania giant power board; Clyde L. King, secretary of the commonwealth; and Morris L. Cooke, consulting engineer and director of the Pennsylvania giant power survey.

This commission recently held an organization meeting at which Charles Browne was chosen chairman, William A. Prendergast, vice-chairman, and Philip P. Wells, secretary. It was decided at this meeting to ask the governors of Delaware, Maryland, Virginia, West Virginia, Connecticut and Massachusetts to appoint representatives to sit with the commission as observers and advisors on the attitude their states would be likely to take.

The commission plans to study the power development, transmission and regulation in these three states and to recommend legislation so that the states will be able to decide their course of action under the compact clause of the Constitution which gives the individual states the right to enter into compacts as to transportation among themselves, making it unnecessary that the question should come before the Interstate Commerce Commission. Super-power and its distribution in the three states is one of the main questions that is to receive attention by the commission.

◆

The Municipal Official.—"Man that hath to do with the public business is of few days and full of trouble.

"He cometh forth in the morning with high hopes and ere the setting of the sun of that day he hath met with many reverses and continueth not.

"Yet, O Lord, have compassion on the children of Thy creation that have to do with the public business. Be present and administer them comfort in time of trouble, for they are in trouble most of the time."

It would be wise for every person to clip out this little bit of wisdom and save it. It is a good-natured rebuke for the many critics of municipal officials who know not whereof they speak.—*Emporia Gazette.*

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